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Third Session

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The Honourable Kenneth R. Kowalski, Speaker

Legislative Assembly of Alberta
The 27th Legislature
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 Mitzel, Len, Cypress-Medicine Hat, Deputy Chair of Committees

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Legislative Assembly of Alberta

1:30 p.m.

Wednesday, March 17, 2010

[The Speaker in the chair]

Prayers

The Speaker: Good afternoon. Welcome.

Let us pray. We confidently ask for strength and encouragement in our service to others. We ask for wisdom to guide us in making good laws and good decisions for the present and future of Alberta. Amen.

Please be seated.

Introduction of Visitors

The Speaker: The hon. Member for Cypress-Medicine Hat.

Mr. Mitzel: Thank you, Mr. Speaker. I have two introductions today. I have the great pleasure of introducing Dr. David Carter, who is seated in the Speaker's gallery. Dr. Carter served as a Member of the Legislative Assembly of Alberta, member 518, for 15 years. He was first elected on March 14, 1979, for the constituency of Calgary-Millican and then subsequently for the constituency of Calgary-Egmont in 1982, 1986, and 1989. He served as the ninth Speaker of the Legislative Assembly of Alberta for seven years, from 1986 to 1993. He was the second ordained clergyman to serve as Speaker. He is presently the pastor of St. Margaret's Anglican church in the Cypress Hills. I'd ask him to please rise, and I would ask all members to join me in welcoming Dr. Carter once again to our Legislature.

Gracias, Sr. II Moderador. I'm pleased to rise today and introduce to you and through you to all members of this Assembly some important visitors. Seated in your gallery are several members of the Chamber of the Americas. During a visit to Alberta this group has toured through the oil sands and is meeting with business and government leaders in both Edmonton and Calgary.

I would now ask these visitors to rise and remain standing as I call their names: Senator Juan Fernando Perdomo, representing the state of Veracruz in the Mexican Senate; Mr. Gilberto Cisneros, president and CEO of the Chamber of the Americas; Mr. Michael Reeves, president of Ports-to-Plains; Mr. Joe Kiely, vice-president of Ports-to-Plains; Mrs. Gaynelle Riffe, member of the Ports-to-Plains board of directors; Mr. Juan Carlos Gideon, manager of Latin American sales, Continental Airlines; Mr. Cal Klewin, executive director of the Theodore Roosevelt Expressway; from the city of San Angelo, Texas, city council member Mrs. Charlotte Farmer, assistant city manager Mrs. Elizabeth Grindstaff, and director of economic development Mr. Fran Owens; Mr. Carlos Moran, senior partner of Goodrich Riquelme; Mr. John Town, manager of HW Process Technologies; and Mr. Bob Sivertsen, president of Highway 2 Association. Sr. II Moderador, I would now ask for them to receive the traditional welcome of this Assembly.

Thank you.

Introduction of Guests

The Speaker: The hon. Deputy Premier.

Mr. Horner: Thank you, Mr. Speaker. However, the Home Educators of St. Albert I do not believe are in the gallery just yet. I hope to have their list of names later.

The Speaker: The hon. Member for Wetaskiwin-Camrose.

Mr. Olson: Thank you, Mr. Speaker. It's my great honour today to introduce to you and through you to all members of the Assembly 45 visitors from Wetaskiwin Centennial school, grades 5 and 6. They're here today to check out the Legislature and see what happens here. For most of them it's their first visit. A few of them indicated to me that they have some interest in being an MLA, so I'm sure they'll be watching with great interest the proceedings this afternoon. Along with them are teachers and group leaders and parents Mr. David Luck, Mr. William Black, Ms Anne Wiebe, Ms Eva Rasmussen, Ms Karen Mason, and Miss Julie Larocque. I believe they're mostly in the public gallery. If they would all please stand and receive the traditional warm welcome of the Assembly.

The Speaker: The hon. Member for Edmonton-Centre.

Ms Blakeman: Thank you very much, Mr. Speaker. We all know that the schools in the fabulous constituency of Edmonton-Centre are wonderful, but this particular school is very interesting because it is both French and Spanish immersion. I'm very pleased to introduce to you and to all members of the Assembly 59 visitors from Grandin school, l'école Grandin. With them today are instructors Michael Leskow, Sra. Teresa Campanaro, Sr. Wilson Gonzalez-Rico and a number of parents and helpers: Sandra Leskow, Nicholle Carrière, Carol Chovanec, Donna Chovanec, Marta McKenna, and Sra. Teresa Talarico. I would ask them all to please rise and accept the warm welcome of the Assembly.

The Speaker: The hon. Member for Edmonton-Gold Bar.

Mr. MacDonald: Yes. Thank you very much, Mr. Speaker. It's a pleasure to rise and introduce to you and through you to all hon. Members of this Legislative Assembly a group of visitors from Edmonton-Gold Bar. They are from St. Gabriel school. There are 20 students. They're very polite and respectful. St. Gabriel school is another great community school in our constituency. The group today is accompanied by teacher Svetlana Sech and also by assistant principal Jackie Flynn. They're in the public gallery, and I would now ask them to please rise and receive the traditional warm welcome of this Assembly.

Thank you.

The Speaker: The hon. Minister of Municipal Affairs.

Mr. Goudreau: Thank you, Mr. Speaker. It gives me great pleasure to introduce to you and through you to all members of the Assembly nine members and staff of the Capital Region Board. The leadership shown by all members of the board has been tremendous. When they started drafting this plan, Alberta was fully engrossed in an economic boom. The capital region was experiencing tremendous growth. Alberta had never seen anything like it. The long-range growth plan they have developed will ensure that the capital region is ready when growth returns. I want to thank each and every one of the members for their efforts, for rising to the challenges set out by the Premier in 2008 and exceeding everyone's expectations. The consistent leadership being shown by these members is helping to build a stronger Alberta.

Some members and staff with the Capital Region Board are with us today. They're seated in the public gallery, and I'd ask them to rise as I call their names: Mayor Stephen Mandel, city of Edmonton; Mayor Greg Krischke, city of Leduc; Mayor Rob Wiedeman, Parkland county. Board alternates with us today include Councillor Ed Gibbons, city of Edmonton, and Councillor Ben Van De Walle, town of Morinville. Administrative staff joining us today are Shari

LaPerle, Capital Region Board; Kathleen LeClair, Capital Region Board; Yolande Shaw, Strathcona county; and Sharon Shuya, Capital Region Board. Please give our guests the warm welcome of this Assembly.

Thank you.

The Speaker: The hon. Minister of Seniors and Community Supports.

Mrs. Jablonski: Thank you, Mr. Speaker. As you know, the Alberta government is focused on supporting those most in need, and I'm proud to say that there are many Albertans who are also committed to doing this. Today I have the great honour of introducing to you and through you to all members of the Assembly two wonderful Albertans who continue to show their dedication to helping those in need. Bruce Murray is the vice-president of the board of directors for the Association for the Rehabilitation of the Brain Injured, or ARBI, in Calgary, and Judy Stawnychko is their executive director. ARBI is truly a grassroots organization. It's well known for innovative, caring, and individualized rehabilitation programs for Albertans. ARBI was the first community-based rehabilitation program in Canada for people with severe brain injuries, and it began right here in this province. I would now ask Bruce and Judy to please stand and receive the traditional warm welcome of this Assembly.

Thank you.

The Speaker: The hon. Minister of Infrastructure.

Mr. Danyluk: Thank you very much, Mr. Speaker. It is indeed a pleasure to introduce to you and through you to members of this Assembly a young gentleman named Jeremy Kulba. Jeremy is the son of Audrey Dutka, who works in our office. They are both in the members' gallery. If I could ask them to stand and receive the traditional warm welcome of this Assembly.

1:40

The Speaker: The hon. Member for Edmonton-Calder.

Mr. Elniski: Thank you, Mr. Speaker. It's a pleasure to rise to introduce to you and through you to members of this Assembly Mrs. Phyllis Kociupchuk and Jane Ke, seated in the public gallery. Phyllis is a constituent of Edmonton-Calder, and Jane is currently in Alberta learning English. Jane is here today to learn about the work that we do in the Legislature and will later be required to give a 30-minute presentation to her ESL class about the experience, so I would encourage her to keep her seating plan handy. I'd ask these two lovely ladies to rise to receive the traditional greeting of the Assembly.

The Speaker: The hon. Member for Little Bow.

Mr. McFarland: Thank you, Mr. Speaker. Happy St. Patrick's Day to you and everyone else.

I'm pleased to rise today and introduce to you and through you to all members of the Assembly some special guests that are, actually, from Banff-Cochrane and our riding of Little Bow. They're here as members of the Southern Alberta Energy from Waste Alliance. It's a coalition of waste management jurisdictions, representing over 60 municipalities from northeast Calgary down to the American border, from B.C. and halfway over to Medicine Hat. They also represent close to 300,000 people who are committed to researching and

recommending for implementation new technology applications for recovering energy from waste materials, including SRMs.

I would ask them to rise as I introduce them. Included in this group in the public gallery are Mr. David Schneider, who's a councillor with Vulcan county; Mr. Rod Ruark, who's a councillor with Vulcan county; Mr. Paul Ryan – that sounds a little Irish – who's a councillor with the MD of Bighorn; and Nadine Epp, our executive assistant from Vulcan county. I am pleased to have them here. They've been doing meetings at AAMD and C and meeting with some people in the building. It's the first time for a lot of them. Please give them a warm welcome.

The Speaker: The hon. Member for Edmonton-Mill Woods.

Mr. Benito: Thank you, Mr. Speaker. It is my distinct pleasure to introduce to you and through you to all members of this Assembly Dr. Iftikhar Ahmad, general surgeon, who is working for his sponsorship and assessment for his final registration to be part of the Alberta health care system for this great province of Alberta. He recently moved to Alberta with his wife and five children from Dubai in the belief that this province is the best place to live, work, and raise a family. He is seated in the public gallery. I would ask Dr. Ahmad to rise and receive the traditional welcome of this Assembly.

The Speaker: The hon. Member for Edmonton-Highlands-Norwood.

Mr. Mason: Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of this Assembly Mr. Keith Donlevy, who is seated in the public gallery. Keith, who was born, raised, and educated in Alberta, is a successful small-business owner and operator in the hospitality industry. Keith firmly believes in Alberta's boundless potential and long-term prospects. I'm pleased to have my guest join us today to witness the legislative proceedings. I'd ask that Keith now rise and receive the traditional warm welcome of this Assembly.

The Speaker: The hon. Member for Edmonton-Strathcona.

Ms. Notley: Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of this Assembly representatives of local 41 of the Canadian Union of Public Employees. Local 41 represents workers at the Grey Nuns and Edmonton General hospitals. They care deeply about the families and senior citizens who are enduring long wait lists and decreased affordability. They urge this government to keep its promise to build 600 new long-term care spaces. I am pleased to have my guests join us today to witness the ongoing tabling of their postcard campaign. I'd ask that they now rise as I call their names: Lola Barrett, the president of local 41, Hans Gronau, Pat Clermont, Avril Vigilance, Kathy White, and Darleen Olinyk. I'd now ask the Assembly to join me in giving them the traditional warm welcome.

The Speaker: Are there others? The hon. Member for Whitecourt-Ste. Anne.

Mr. VanderBurg: Thank you, Mr. Speaker. It's my pleasure to introduce Norm Dupuis, the director of lumber grading for the Alberta Forest Products Association. It's his first visit here, and I'd like to welcome him to the Assembly. Please rise and be recognized by all of my colleagues.

Members' Statements

The Speaker: The hon. Member for Cypress-Medicine Hat.

Chamber of the Americas

Mr. Mitzel: Thank you, Mr. Speaker. Earlier today I had the pleasure of introducing several members of the Chamber of the Americas who are visiting us today. I'd now like to share with the Assembly some background on this group and the important role they play in Alberta's economic development.

The mission of the chamber is to promote businesses in the western hemisphere by supporting free trade and connecting businesses to one another, to investors, and to governments. They achieve this goal by sharing information and cultural understanding across international and national boundaries, and as such, Mr. Speaker, I'm pleased that they decided to visit Alberta and to see the benefits Alberta can bring to businesses throughout the United States and Mexico as well as to see the role they can play in developing Alberta's businesses. After all, international trade goes both ways.

Mr. Speaker, the trip by the Chamber of the Americas' leaders highlights the value of international partnerships to Alberta's economy. As many might have noticed in my introduction, several of the leaders of the chamber are also board members of Ports-to-Plains, one of Alberta's successful trade partnerships. What this means is that through our membership with Ports-to-Plains we also get access to valuable international organizations like the Chamber of the Americas. In turn, greater access to international organizations means we have greater access to not only international markets but to international information and cultural understanding.

Mr. Speaker, Alberta is now in a place where we can work with organizations like the Chamber of the Americas to sell our province internationally. After all, Alberta has a lot to offer on the world stage. We all know this. The key has always been getting the word out. I believe that the partnerships that we develop today with groups like the Chamber of the Americas will go a long way toward improving our economy tomorrow.

I would also like to again thank my guests for coming here today and hope they have an opportunity to see the best of what Alberta has to offer.

Thank you.

The Speaker: The hon. Member for Edmonton-Rutherford.

Deputy Chair of the Premier's Council on the Status of Persons with Disabilities

Mr. Horne: Thank you very much, Mr. Speaker. I rise today to welcome the new deputy chair of the Premier's Council on the Status of Persons with Disabilities. Since July of 2008 I have had the tremendous privilege of holding this position, and during that time I have been privileged to have a role in communicating to government on behalf of the Premier's council. I have shared information with my colleagues about matters of interest to the disability community across our province.

As a member of the council I have also had the opportunity to provide insight and to contribute to the development of the council's current strategic plan and to begin work on one of the plan's strategic directions, the promotion and implementation of universal design principles throughout Alberta. Another highlight for me was copresenting the council's awards of excellence at Edmonton's International Day of Persons with Disabilities celebrations over the last two years.

Mr. Speaker, I'm very grateful for the opportunity to have worked with the council, a truly dedicated group of Albertans from across

the province who have an unrelenting commitment to listening to members of the disability community and acting to concretely improve the lives of Albertans with disabilities.

That is why I'm honoured today to be able to welcome the new deputy chair for the council, my colleague and friend the hon. Member for Wetaskiwin-Camrose. He is currently serving as chair of the First Nations, Métis and Inuit Workforce Planning Committee, and he is a member of the Standing Committee on Public Accounts, the Standing Committee on Private Bills, and the Standing Committee on Health. Like many hon. members, I regularly turn to this member for insight and advice, and I am confident that his experience and dedication to Albertans will be a great addition to the council.

Thank you very much, Mr. Speaker, and, again, congratulations to my colleague on his appointment.

Oral Question Period

The Speaker: First Official Opposition main question. The hon. Leader of the Official Opposition.

Funding for Long-term Care

Dr. Swann: Thank you, Mr. Speaker. This government has demonstrated repeated failures of management of the public purse: major reorganization in the health care system, \$1.2 billion deficit, millions spent at the Foothills and Lougheed hospitals and no new beds, and now \$2.3 million sitting four years in Chantelle Management with nothing to show for it in Grande Prairie. To the Premier: how many more boondoggles with taxpayers' money can Albertans expect before this government becomes a responsible steward of public money?

Mr. Stelmach: Mr. Speaker, under my government we are committed to a publicly funded health care system. We're also committed to having the most innovative and modern public infrastructure. This includes facilities both for health and continuing care and for those that, unfortunately, have gone perhaps through a brain injury and that are young and need special residences as well. We'll continue on the path of building those facilities that are necessary.

1:50

Dr. Swann: Mr. Speaker, people are really suffering out there. That kind of a response is very disappointing. We're talking about financial mismanagement, Premier. Will the Premier stand up and reassure Albertans that he'll put an end to financial waste and mismanagement?

Mr. Stelmach: Mr. Speaker, we are the only jurisdiction in Canada that has committed to a five-year increase in funding for a publicly funded health care system – the only jurisdiction. That speaks to health being the number one priority for all Albertans.

Dr. Swann: Well, again, Mr. Speaker, how many other projects through this affordable living initiative have been similarly mismanaged, as the care centre in Grande Prairie has? Albertans deserve some answers.

Mr. Stelmach: Mr. Speaker, once again, the issue that was raised yesterday. This project is proceeding. The project received a number of different cash allocations from different funds to proceed. They had to get, of course, approval from their municipality. They also had to have a contract in place from Alberta Health Services. All of those now are in place, and they're prepared to start building here in April of 2010.

The Speaker: Second Official Opposition main question.

Centralized Ambulance Dispatch

Dr. Swann: In the last year this government has flip-flopped with helipad closures, acute-care bed cuts, mental health services cuts, and capital funding schemes. This is a ridiculous number of mistakes in a short period of time. The latest fumbled health initiative by this government is the emergency medical services transition. To the Premier: who is responsible for this latest failure in the EMS transition? Is it the minister or the superboard?

Mr. Stelmach: Mr. Speaker, the policy itself was debated in this House. It was developed after months of consultation. There was a committee that reviewed ambulance services throughout the province of Alberta, and a decision was made. In some parts of the province it works well, and in some parts we've heard that there are some issues with a centralized dispatch service. We've heard from the locally elected officials. We heard from individuals that work in EMS and the first response. We've listened to them, and we've made the appropriate decision. We're going to review it, and within a few days the minister will work with those municipalities to make sure that it's done right.

Dr. Swann: How many people are going to suffer through delays in action as a result of this mismanagement? Civic leaders are now voicing concerns with dispatch and response time. Can the Premier say how much response times have grown as a result of this EMS debacle?

Mr. Stelmach: Mr. Speaker, in some places it's actually been shortened. But there is a goal here to bring all of Alberta to a particular standard beyond basic life-support services. But, once again, Alberta is a big province. There are various municipalities. There are different needs. There are different radio systems in play today. We want to make sure that we have the best system in place, that both ambulance and fire and also the RCMP and municipal police forces are on the same band and can respond immediately.

Dr. Swann: For years municipal people have been saying this, Mr. Premier. This is not reassuring that we're now taking a quick reversal in decisions. Given confusion and policy reversals, Albertans are unsure who's running health care today. Will the Premier clarify who makes provincial EMS policy? Is it the minister or the board?

Mr. Stelmach: As I said before, the policy was decided in this House. It was debated. I believe that there were members across the way that even agreed with it. On the other hand, this is a policy that was decided here. We've asked Alberta Health Services to implement it. We've heard from locally elected officials that there are some issues in some parts of the province; other areas are working very well. In fact, I heard earlier today at the AAMD and C some of the elected officials say: in our part of the province it's working well. There may be others that need some help, a revisit, and that's what we're doing.

The Speaker: Third Official Opposition main question. The hon. Member for Calgary-Currie.

Renter Assistance

Mr. Taylor: Thank you, Mr. Speaker. Last year the direct-to-tenant rent supplement program started in April, and by August the

program's funding had run out. This year funding for that program has been cut, and there are no plans to expand it. To the minister of housing: why is the program capped at helping approximately 80,000 people when the minister knows that 90,000 people in the province of Alberta qualify for assistance right now?

The Speaker: The hon. Minister of Housing and Urban Affairs.

Mr. Denis: Thank you very much, Mr. Speaker. I'd like to thank the member for that question and his interest in this portfolio. The program is designed to help those most in need. There is a wait-list, and the priority base are those most in need. So a person may come on, and it's much like an emergency room. You help those who are most in need first, not necessarily those who have been in the longest, targeting the money where it's needed the most.

The Speaker: The hon. member.

Mr. Taylor: Thank you, Mr. Speaker. We're talking here about 10,000 people on a wait-list who have already qualified. To qualify for housing supports, a person must be spending over 50 per cent of their income on housing and have less than \$7,000 in total assets. How is waiting months, years on a waiting list under these trying conditions in any way acceptable?

The Speaker: The hon. minister.

Mr. Denis: Thank you very much, Mr. Speaker. Again, I would remind this member that this program is designed to be compassionate to individuals but also compassionate to the taxpayers. I believe that we have held exactly the right balance as to where we need to be for individuals who are actually in need. It's based on a points system that is objectively decided on an individual, case-by-case basis.

The Speaker: The hon. member.

Mr. Taylor: Thank you, Mr. Speaker. You know, if you really want to be compassionate to the taxpayers, invest in people so that they don't end up costing us more in the long run.

Given that 10,000 who qualify for rent subsidies, who are already qualified, are already waiting for assistance, with even less money budgeted this year, how many more people can we expect to be on that wait-list a year from now?

The Speaker: The hon. minister.

Mr. Denis: Thank you again, Mr. Speaker. We adjust this on a year-by-year basis. Again, I want to thank the member for his comments. I'm always happy to hear from constituents.

The Speaker: The hon. Member for Calgary-Glenmore.

Senate Appointments

Mr. Hinman: Thank you, Mr. Speaker. We have three Alberta Senators who will be retiring between 2011 and 2014. In 1989 Albertans sent Ottawa a message and elected Stan Waters as a Senator-in-waiting. He was soon appointed, as was elected Senator Bert Brown in 2007. The mandate of our remaining Senators-in-waiting expires November 2010. My question is to the Premier. Will you commit to holding Senate elections in conjunction with municipal elections this fall?

Mr. Stelmach: Mr. Speaker, there are three choices here. One is to hold the elections this fall. The other is to look at a separate election in preparation for the retirement of the Alberta Senators. The third is to wait for the 2012 provincial general election. We're reviewing the three different times because there are significant costs that will have to be borne by the government this fall if we're going to do it in conjunction with the municipal elections.

Mr. Hinman: Well, Mr. Speaker, they're taking too long to decide. Given that this October municipalities will be holding their elections, why hasn't the Premier let them know so that they can do it in an efficient and effective manner? The mandate is running out this fall. Let's have it done on time.

Mr. Stelmach: Well, if the member wants to agree to a special allocation of funds to assist municipalities to hold the election, then he has an opportunity to state his position in the House right now.

Mr. Hinman: I think that we are stating. But, again, their consultations and listening lack a bit of discipline here.

Given that this government says it's committed to ensuring that Senators-in-waiting are in place when the next three vacancies come open, when will this government do the right thing and let Albertans know we're having an election this fall for our Senators-in-waiting?

Mr. Stelmach: Well, not having heard whether the member wants to support additional expenses in hosting the election, I guess we'll have to make the decision on our own. That decision will be made soon in working with municipalities because there is a process to follow in terms of nominations and also the printing of the ballots.

The Speaker: The hon. Member for Edmonton-Highlands-Norwood.

Oil and Gas Revenues

Mr. Mason: Thanks very much, Mr. Speaker. On November 7, 2007, in this House, following the Premier's announcement of his royalty regime, he responded to a question by the then leader of the Liberal Party by pointing out the flip-flops of the Liberals on royalties: first opposing an increase, then supporting one. My question is to the Premier. Who's flip-flopping now?

Mr. Stelmach: Mr. Speaker, I know that we're not. The competitiveness review was done in light of the fact that there are significant changing circumstances with respect to both shale gas, which is a new resource that requires innovation and technology to reach, but most importantly the changes in the market. We have seen substantial gas finds in the United States, our number one market, trillions of cubic feet. That has put quite an issue at hand, and that's why we reviewed royalties but also the regulatory framework to ensure that we are the most competitive in North America.

2:00

The Speaker: The hon. member.

Mr. Mason: Thanks very much, Mr. Speaker. Well, given that the Premier doesn't seem to understand what a flip-flop actually is, I'd like to ask him if he thinks that his government has been more consistent than the people that he criticized back in 2007.

Mr. Stelmach: Mr. Speaker, when we did the first review, gas was, you know, \$9, \$10, good market conditions in the United States, didn't have the world credit crisis nor the world economic situation.

The circumstances have changed dramatically. I'm just very thankful that as Albertans we set a lot of money aside during those good times so that we can weather this economic storm without going into debt, as other jurisdictions have to, over the short term.

The Speaker: The hon. member.

Mr. Mason: Thanks very much, Mr. Speaker. Well, given that we now appear to have a case of the pot calling the kettle black and given that both parties have flip-flopped more than a pair of fish out of water, will the Premier do the right thing and flip just one more time and demand the fair share he promised from the oil and gas industry?

Mr. Stelmach: I think, Mr. Speaker, supporting an industry that according to the Canadian Energy Research Institute will contribute \$25 trillion – \$25 trillion – to the GDP of this province over the next 25 years is a good decision. That's a significant contribution.

The Speaker: The hon. Member for Edmonton-Centre, followed by the hon. Member for Edmonton-Ellerslie.

Noise Abatement

Ms Blakeman: Thank you very much, Mr. Speaker. For those of us who live in the centre of our cities or by major roadways, spring heralds the new season of modified mufflers, tuned pipes, and roaring hot rods. Now, the Edmonton police have worked with the Council of Motor Transport Administrators, the Motorcycle and Moped Industry Council, and Alberta Transportation to establish testing procedures and recommendations for new legislation to establish a provincial noise emissions standard [interjections], which could be applied in this House right now. It was expected in this spring sitting, but so far no sign of it. To the Minister of Transportation: please tell me this legislation is coming now.

Mr. Ouellette: No, Mr. Speaker, I can't tell her that. We are working with a national group on that to try to figure out how we could actually know when it's – I guess what I'm trying to say is: how are you going to enforce it? What type of equipment are you going to use to register it?

Ms Blakeman: The minister may not be aware, but this work has been done by the groups that I just outlined, so the noise limit and noise testing equipment has the Good Housekeeping seal of approval from everyone that's involved. What is the holdup? Why can't we get that legislation in time to have it passed before this summer season?

Mr. Ouellette: You know what? That's not what I'm being told. I disagree that people have agreed on whether or not we can use all that equipment and it'll work. In fact, just the other day I was told – this is second-hand, of course – that the police association is saying that they don't know how they would be able to enforce it at this point.

Ms Blakeman: They need the provincial legislation to do it. The municipalities cannot move forward without the changes in provincial legislation. Why is the government holding cities and their citizens hostage? You need to move on this one.

Mr. Ouellette: I don't believe we're holding cities or anybody hostage, Mr. Speaker. The cities can pass a bylaw any time they

want to handle their bylaw stuff. We are working with them, but we're not at the point that we're ready to bring in legislation yet. [interjections]

The Speaker: The hon. Member for Edmonton-Ellerslie, followed by the hon. Member for Calgary-McCall.

Health Care ID Cards

Mr. Bhardwaj: Thank you very much, Mr. Speaker. The health care cards in other provinces such as Ontario have pictures of the cardholders, much like the drivers' licences. To the Minister of Health and Wellness: why doesn't the government of Alberta require photos on our health care cards?

Mr. Zwozdesky: I believe the question was about photos on health care cards. I'm sorry; there was so much yelling over here, I couldn't hear. If that's the gist of the question, I want to say to the Assembly that we have explored this idea before, Mr. Speaker, as a department, and what was found is that 97 per cent of Albertans over the age of 14 already carry a form of photo ID. So the idea was left as one to perhaps think about in the future but not one to act on immediately.

The Speaker: The hon. member.

Mr. Bhardwaj: Thank you very much, Mr. Speaker. My final supplemental to the same minister: what is the estimated cost to Alberta taxpayers of fraudulent use of health care cards?

Mr. Zwozdesky: Mr. Speaker, I can assure the member that we have very stringent rules and laws in place to help prevent any fraudulent activity when it comes to health care cards. One of the preventative measures we have, of course, is requiring physicians' offices to make patients who arrive show some form of ID. In other cases, if we're dealing with new people to the country or to the province, we also ask them to show their entitlement to be here and their residency and so on.

The Speaker: The hon. Member for Calgary-McCall, followed by the hon. Member for Bonnyville-Cold Lake.

Distracted Driving

Mr. Kang: Thank you, Mr. Speaker. One in four accidents in Alberta is a result of distracted driving. People are dying. There have been studies and policy field committees, but there is no legislation on this. To the Minister of Transportation: when is the minister planning to introduce distracted driving legislation?

Mr. Ouellette: Mr. Speaker, I agree that distracted driving has been a problem everywhere across the continent. I will say that most other provinces have done a knee-jerk reaction to one issue of distracted driving, and that's cellphones and electronic texting. We know that there are a whole lot of other distractions involved in distracted driving that cause problems. We're looking at the whole, big picture in order to try to get it right, that it can be effective.

The Speaker: The hon. member.

Mr. Kang: Thank you, Mr. Speaker. While the minister hems and haws, Albertans die on the highways. Now I'm asking the minister point-blank, and he refuses to answer. Again, when will the minister introduce distracted driving legislation?

Mr. Ouellette: Mr. Speaker, as soon as we know that we have it right so it can be effective and we can enforce it. I don't know how many times I have to try to tell that to this hon. member so that he understands. When we can do the proper thing and look after the big picture, then we will get it done.

Mr. Kang: I'm asking the minister: why is it taking so long? Again, the minister hems and haws. Given that there was not a single mention of distracted driving in the operational plan for traffic safety, why isn't this a priority for this minister?

Mr. Ouellette: Mr. Speaker, traffic safety is always a priority for this ministry and this government. There's no sense putting in a law that doesn't cover the actual problem that you have. There are a whole bunch involved with distracted driving, and we have to be able to look after the whole big picture of it and get it done right.

The Speaker: The hon. Member for Bonnyville-Cold Lake, followed by the hon. Member for Calgary-Buffalo.

Bonnyville Primary Care Network

Mrs. Leskiw: Thank you, Mr. Speaker. Bonnyville was the first primary care network, or PCN, in the province. To be a PCN, Bonnyville was required to submit a business plan to Alberta Health Services. This business plan means that Bonnyville is not able to apply for additional funding throughout the year should costs for vital services arise. The town of Bonnyville had a local nurse who recently became a nurse practitioner, but under the PCN they were not able to pay her as a nurse practitioner. As a result, they risk losing her to another municipality in Alberta.

Mr. Zwozdesky: Mr. Speaker, I want to congratulate the town of Bonnyville for being either the first or among the first to have a PCN. That's a very positive news story. In fact, the primary care networks that she's talking to operate on a basic per capita budget of about \$50 per Albertan served. The PCNs do have the ability to hire and pay for nurse practitioners in addition to the doctors.

Mrs. Leskiw: My next question is to the same minister. Will the minister compensate the town of Bonnyville the \$155,000 they pay the PCN in order to keep the nurse practitioner in the community?

2:10

Mr. Zwozdesky: Mr. Speaker, Alberta Health and Wellness would not be able to do that directly, but there are a couple of options that you might want to pursue with your local PCN. One of them is to approach Alberta Health Services and ask for that funding that you've just alluded to. The other would be to ask the Bonnyville PCN network to request some additional per capita funding specific to the case you've just outlined.

Mrs. Leskiw: My last question is to the same minister. What action can be taken so that this government will support essential services in my constituency in the future?

Mr. Zwozdesky: Well, Mr. Speaker, a couple of things. First of all, I want to assure the hon. member that we are always interested in removing any kinds of barriers that might be there that would impede either access to care or that would in some way, shape, or form potentially negatively affect the delivery of it. We're working with the College and Association of Registered Nurses and other stakeholders to eliminate barriers that might exist. I'd be happy to speak with you some more about it.

Anticrime Initiatives

Mr. Hehr: Well, Mr. Speaker, Fort McMurray has struggled to eradicate crime and the social turmoil that resulted from Alberta's last resource boom. To the Solicitor General. Evidence points to an increase in trafficking of narcotics across provincial boundaries, and unfortunately Fort McMurray has become a hub for this drug trade. What specific measures have been implemented to break ties between Alberta criminals and suppliers and clients across Canada?

Mr. Oberle: Well, Mr. Speaker, I suspect the hon. member would know about the ALERT teams, the integration of police forces that we operate in Alberta for specifically that type of cross-jurisdictional crime, that involve partnerships between the RCMP, the Edmonton Police Service, the Calgary Police Service, and Medicine Hat, and some of the great work they do in this province. They're active across the province, not just in the south.

Mr. Hehr: Again to the Solicitor General. *Maclean's* magazine has placed the community as Canada's 28th most dangerous city in 2009, just one spot below Calgary. Given our commitment to policing and community safety, how does the minister justify that Fort McMurray's crime rate is still so far above the national average? What are you doing to lower it?

Mr. Oberle: Well, Mr. Speaker, the member would know about ALERT teams. I just had some of the other innovative police work that we do in our province. I invite him to attend my estimates tonight, and we'll talk specifically about that issue.

Mr. Hehr: Well, thanks for the invitation, and I will be there.

Again to the same minister. Alberta's energy booms have created a self-sustaining crime wave in Fort McMurray and some other jurisdictions in Alberta. Given the cycles of our economy, why does Alberta have fewer police officers per capita than other provinces with comparable crime rates?

Mr. Oberle: Well, that's also a topic for estimates. The member will know that on a direct comparison of police officers that may be true, but we have many additional resources and innovative use of those police officers. Just the use of sheriffs, for example, is different than is done in other provinces. Direct comparison is very difficult, Mr. Speaker. I did invite the hon. member to estimates tonight. I didn't mean to speak out loud.

The Speaker: The hon. Member for Calgary-Lougheed, followed by the hon. Member for Airdrie-Chestermere.

Oil Sands Image

Mr. Rodney: Thank you, Mr. Speaker. Whether it's the outcry against investment or the recent *Dirty Oil* documentary, we've been hearing increasing concerns lately about the development of Alberta's oil sands from certain stakeholders in certain places like the U.K. To the Minister of International and Intergovernmental Relations: what are you doing to get the record straight in the EU?

Ms Evans: Mr. Speaker, currently we have one of the hon. members, Drayton Valley-Calmar, over with the CCS group, the four providers. Actually, you might call them the winners of the dollars that are going to support their carbon capture and storage initiatives. We have been sharing information very expeditiously, and you would be pleased to know that this morning Ambassador Ross Hornby responded to the European Parliament to decry any kind of

allegation of dirty oil relative to the oil sands and cited the excellent work done on an environmental front to make improvements here. A lot of it's about sharing information.

The Speaker: The hon. member.

Mr. Rodney: Thank you, Mr. Speaker, and thank you, Minister. It does beg the next question, which is: how is this affecting our trading relationship with the EU? Is it all negative, positive, or a combination of the two? Can we have some specifics, please?

Ms Evans: We have not seen an erosion; however, there has been some reduction in trade of exports from some of the 27 countries given the nature of our economy. I would advise a most interesting fact for this House. We've recently hosted the ambassadors from the European Union and from Italy. From afar they have viewed us and said two things about Canada: they wonder about the seal hunt; they wonder about the allegation of dirty oil. It begs the question: how are we communicating as a nation with the rest of the world? Part of what we're doing now is working with our U.K. and German offices to see if we can make sure those countries know fully what we're doing.

Mr. Rodney: My final question is for the same minister. Are we looking at a truly free trade agreement, or is it in name only? Will Alberta actually gain from this kind of an arrangement?

Ms Evans: Mr. Speaker, I believe that we will gain. It's our intent over the next few months to have a number of targeted missions to go and work with the EU since we know fully that they intend to provide us with a more regulatory framework on the environmental front. You'll see missions that will be targeted with very specific times, places, and people to meet so that we're not over there all at once. Obviously, our Minister of Environment will be looking at this as well as myself.

The Speaker: The hon. Member for Airdrie-Chestermere, followed by the hon. Member for Edmonton-Centre.

Centralized Ambulance Dispatch

(continued)

Mr. Anderson: Thank you, Mr. Speaker. In its bungling bid to centralize health services and take away local decision-making, this government continues to create problems for communities across Alberta. Airdrie has already been forced by Alberta Health Services to divest itself of its prized integrated fire and ambulance service, and it turns out that so many communities are up in arms over the centralization of emergency dispatch services that the minister has gone into full retreat. My question is to the minister of health. Will he return the delivery of ambulance services and dispatch back to local communities, who were doing a great job?

Mr. Zwodzesky: Mr. Speaker, nobody is in any kind of retreat whatsoever. We're halfway through the process. It's timely to take a look and see how the first half has done before we proceed with the second half. Some municipalities have raised some issues, which the Premier enunciated earlier. So we're going to do that. On Friday I will listen to the story of Airdrie. My understanding is that last year or somewhere thereabouts municipalities were given a choice: do you wish to continue the way you're going, or do you wish to divest the EMS piece? My understanding – and it could be different on Friday, when I hear it from them themselves – is that Airdrie chose to divest.*

*See page 515, right column, paragraph 9

Mr. Anderson: Sounds like you've been talking to bureaucrats at Alberta Health Services. That has nothing to do with the reality of the situation.

Given that Albertans have already paid for the current call centre's dispatch infrastructure, ambulance units, and staff, how does the minister justify building new infrastructure, hiring new staff, and refusing to compensate municipalities for the money they have invested so that their residents have high-quality and locally run emergency response?

Mr. Zwozdesky: Mr. Speaker, again, I'm open to listening to Airdrie's story on Friday; that's why I'm going down there. My understanding is that as this whole issue was being discussed, it was determined that ambulances were more part of the health system than they were part of the municipal system, so the choice was put on the table. I've enunciated that one group chose to divest. There are 20 or more others who are doing something different. We've got a number of different options on the table right now.

Mr. Anderson: Mr. Speaker, this government's commitment to socialistic centralization/control of everything is totally out of control. Given this government's desire to centrally plan and run everything it sees, can he tell this Assembly what will happen to valued locally run organizations, like STARS, who deliver much-needed air ambulance services across Alberta? Are you going to take them over, too?

Mr. Zwozdesky: Mr. Speaker, STARS is in good shape. They're doing very well. They're doing tremendous work. They're saving lives. They're improving lives. They will continue to do that.

With respect to the ground ambulances, Mr. Speaker, in the previous system, it's important to note, they were restricted by geographical boundaries. Those that have since been implemented now are not, which means that the ambulance closest to the scene of need will be dispatched under the new model once it's fully implemented.

The Speaker: The hon. Member for Edmonton-Centre, followed by the hon. Member for Whitecourt-Ste. Anne.

Royal Alberta Museum

Ms Blakeman: Thank you very much. Mr. Speaker, \$83 million in capital funding is budgeted for the Royal Alberta Museum over the next three years. According to the Minister of Culture and Community Spirit there are no plans for how that money will be spent, whether it would be a new facility or collections or whatever. To the Minister of Culture and Community Spirit: when will the minister produce a plan, a timeline, something on where the \$83 million in funding for the Royal Alberta Museum will be spent? What are you going to do with the money?

The Speaker: The hon. Minister of Infrastructure.

Mr. Danyluk: Thank you very much, Mr. Speaker. The government's decision on the Royal Alberta Museum will be guided by our desire to do what's best for museums and for Albertans. Part of the capital plan still includes the federal contribution. Over \$200 million has been committed to the museum project at this time.

2:20

The Speaker: The hon. member.

Ms Blakeman: Well, thanks very much. Back to the same minister: how much of the \$83 million in funding for the Royal Alberta

Museum is from the federal government? The Member of Parliament for Edmonton Centre has distributed flyers claiming that the federal Tory government has given \$85 million for the construction of the Royal Alberta Museum. So whose money is this?

Mr. Danyluk: Mr. Speaker, in fact, we have been having discussions, and there has been extensive discussion of the contribution that the federal government is going to do. That announcement has not come forward, and if the MP from that area is out with brochures, well, I'm very happy to hear that.

Ms Blakeman: Okay. Back to the same minister, then: given that the government has been fooling around with our museum long before they could use the recession as an excuse for doing nothing, what is the real problem here?

Mr. Danyluk: Mr. Speaker, let me be very clear, if I have to restate what I have said before. Part of the capital plan very much includes what the federal contribution is. The capital plan includes \$200 million, and we are currently looking at several options for the future of the museum. As I said before, there have been a lot of discussions, and there are still discussions to take place.

The Speaker: The hon. Member for Whitecourt-Ste. Anne, followed by the hon. Member for Calgary-Currie.

Emergency Unlock Service Fees

Mr. VanderBurg: Thank you, Mr. Speaker. My questions are to the Solicitor General and Minister of Public Security. I have a number of small businesses that operate in Whitecourt-Ste. Anne who provide emergency unlock services for people who have locked their keys in their vehicles. Your proposed licensing fees that are being considered are regressive. They are very high, and they make delivering this service cost prohibitive for my businesses. Will the minister consider lowering or abolishing this fee?

Mr. Oberle: Well, I don't think I can consider lowering the fees, Mr. Speaker. For the information of this House, they are \$500 a year. Those fees were set in consultation with the industry, and they're designed to be cost neutral to the government. However, I can advise the hon. member that in certain circumstances the registrar can consider an exemption to the fees.

Mr. VanderBurg: Well, given that answer, what are those certain recommendations that you may make to these operators that are listening to my question here today? They're looking for the forgiveness of that fee.

Dr. Morton: Make the local MLA pay.

Mr. Oberle: Well, that is one option, Mr. Speaker, offered by the minister of finance.

Again, this is designed to be a cost-neutral program. The fees were set in consultation with the industry, and there is widespread support from the industry for this legislation, for those fees. Small businesses, if they can show that they perform these services on rare occasions, may apply to the registrar for an exemption. For example, this could apply to a single tow truck operator where unlocking vehicles is not the primary function of their business. I think that covers many of the issues that the hon. member speaks of.

Mr. VanderBurg: Thank you for that answer, and that will help. On the bigger picture I think the regulatory burden is antiprogres-

sive, it's regressive, and it doesn't stand for our competitive model that we're looking for. Will you reverse this decision?

Mr. Oberle: No, I won't, Mr. Speaker. This legislation was developed in consultation with the industry. It follows legislation and regulations we see developing in neighbouring provinces. It's designed to provide safety and security to our communities.

The Speaker: The hon. Member for Calgary-Currie, followed by the hon. Member for Edmonton-Calder.

Municipal Sustainability Initiative Funding

Mr. Taylor: Thank you, Mr. Speaker. The mayor of Calgary asked for and received increased borrowing powers for his city and actually for all municipalities because this government failed to make good on their \$1.4 billion infrastructure funding promise. Now, I'm sure the Minister of Municipal Affairs would like to spin that as a good-news story, but in fact this is yet another example of the provincial government happily downloading costs onto cities and towns and counties and municipal districts. To the minister: will the minister commit to covering the interest payments that municipalities will now have to pay to complete their capital projects with their extra borrowing?

Mr. Goudreau: Mr. Speaker, I want to emphasize that we had a lot of past dialogue on the MSI funding, and we've always been very, very open with municipalities that the funding would flow through. We're still committed to the full \$11.3 billion, but in the agreements with each and every municipality it was always subject to my availability of funding that I could turn over to the municipalities. So the decision that the city of Calgary needs to make is up to them. We've given them the flexibility to make those decisions that meet the needs of their residents.

Mr. Taylor: Well, Mr. Speaker, since this appears to be a new working relationship between the province and the city of Calgary, I wonder: is the minister also reconsidering his government's lack of support of the airport tunnel?

Mr. Goudreau: Mr. Speaker, last year the city of Calgary received \$115 million. We've added another \$139 million to the MSI funding for a total of \$254 million. They are over the next few years expected to receive \$3.3 billion in MSI funding. Those dollars are left up to municipalities to decide their priorities, and it's up to them now to use that funding for the tunnel if they choose.

The Speaker: The hon. member.

Mr. Taylor: Thank you, Mr. Speaker. Given that in 2005 the Ontario government committed \$30 billion for infrastructure over five years, a funding program that they completed in only four, by the way, why is keeping an \$11 billion over 10 years promise so tough for this government?

Mr. Goudreau: Mr. Speaker, the \$11.3 billion is only one program that's used to support municipalities. There are a number of us as ministers here that provide funding to municipalities. To use only \$11.3 billion is not fair. There are considerably more dollars that flow through to municipalities from this province than what he alludes to.

The Speaker: The hon. Member for Edmonton-Calder, followed by the hon. Member for Edmonton-Gold Bar.

Workers' Compensation Appeals

Mr. Elniski: Thank you, Mr. Speaker. The Industry Task Force, or ITF, represents approximately 40 per cent of the employers in Alberta who are covered by the Workers' Compensation Board. Recently they have been looking to streamline the appeals process and management. The ITF would like to see the role of the employer appeals adviser come to fruition. My first question is to the Minister of Employment and Immigration. As the Appeals Commission reports directly to you, will you implement the role of employer appeals adviser?

The Speaker: The hon. minister.

Mr. Lukaszuk: Well, thank you, Mr. Speaker. The Workers' Compensation Board, as the name would indicate, is designed to compensate workers for loss of income and to rehabilitate them back to work as soon as possible. It's meant to be a nonadversarial process. However, injured workers, even though many encounter the system only once or at a time when they're suffering from an injury, do need assistance with appeals, and there's a very good process for workers to appeal their claims.

Whether there is a need for appeal advisers now for employers I will answer in my second response.

The Speaker: The hon. member.

Mr. Elniski: Thank you. My next question is to the same minister. I'm told that WCB account managers have been identified as being possible resources for employers during the appeals process. Are the WCB account managers capable of performing the extra function?

Mr. Lukaszuk: Well, Mr. Speaker, whether they are or aren't capable of performing that function is one question. The second question, the most important question, is whether there is truly a need to create an office of appeals adviser for the employers. It is meant to be a process that is not litigious, that is nonconfrontational and nonadversarial, but it is something that I'm willing to take into consideration and look at whether there is a bona fide need for such.

The Speaker: The hon. member.

Mr. Elniski: Thank you. My last question is to the same minister. Are you concerned at all that small and medium employers often do not participate in the appeals process as it can be very intimidating for the uninitiated?

Mr. Lukaszuk: Well, Mr. Speaker, it's very difficult for me to guess how many employers are not participating by virtue of the fact that if they're not participating, I don't know about them. The fact is that the system is not supposed to be intimidating. It is supposed to be, as I said, nonadversarial. But I will look into the need, and if indeed there is a need for such a service to be provided, I will consider it.

The Speaker: The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for West Yellowhead.

Education Property Taxes

Mr. MacDonald: Thank you very much, Mr. Speaker, \$316 million in education property taxes was collected in the city of Edmonton in 2009. That is a \$55 million increase since 2005, or an over 20 per cent increase. My first question is to the minister of finance. Does

all the money collected for education property tax in a municipality in any given year stay strictly within that municipality, or is it pooled by the government?

2:30

Dr. Morton: Mr. Speaker, the hon. member knows the answer to that question. Of course it's pooled. For the 15th year in a row, I believe – I'll check that – property tax mill rates were lowered, but if the assessment went up, the net amount paid could have gone up in some areas, depending upon higher assessment.

Mr. MacDonald: Again, Mr. Speaker, to the same minister: if taxes were going only one way – and that's down – in this province, why did the education property tax in Edmonton increase by 20 per cent in five years, or over \$55 million? Put it on the record.

Dr. Morton: Mr. Speaker, I'm worried that the hon. member may have begun his St. Paddy's Day celebration a little early. I just gave the answer to that. If the assessment goes up and even if the mill rate goes down, you can still get a net increase in dollars paid.

Mr. MacDonald: Again, Mr. Speaker, tax increases are not a laughing matter.

Again to the minister of finance: can the hon. minister guarantee that all the money collected in education property taxes remains in the municipality where it was collected to fund public education? You're collecting more money in Edmonton and forcing schools to close. Answer the question.

Dr. Morton: Mr. Speaker, sometimes on St. Paddy's Day, in addition to the green beer, there are scrambled eggs as well, and that's what the member is doing. He's scrambling about 12 different facts. I've already given him the facts. Just keep them straight.

The Speaker: The hon. Member for West Yellowhead, followed by the hon. Member for Calgary-North Hill.

Centralized Ambulance Dispatch

(continued)

Mr. Campbell: Thank you, Mr. Speaker. Over the past number of months and again today at AAMDC's forum I received a lot of negative feedback from municipal officials, dispatch system operators, and concerned citizens regarding this government's decision to centralize ambulance dispatch services throughout Alberta and especially in northern communities. My question is to the Minister of Health and Wellness. Why are we centralizing ambulance dispatch services given that the decentralized system served the needs of my northern communities extremely well?

Mr. Zwodzesky: Mr. Speaker, as I think I indicated earlier, we're about halfway through that centralized process of dispatching. What I did was I discussed this matter with the folks at Alberta Health Services. I asked them, now that we're halfway through, if they could just suspend any further consolidations until we've had a chance to do a little bit of a review, see how things are working. I'd be happy to re-review what he's just mentioned – and that is the situation out in Yellowhead – to make sure that the services being provided are being provided safely and on a timely basis and with the greatest of efficiency of care for the patients that might be . . .

The Speaker: The hon. member.

Mr. Campbell: Thank you, Mr. Speaker. The minister answered my second question, that he will revisit the decision to return the dispatch service to Yellowhead county. My question would be to the minister. When can we receive a decision on this and proceed as quickly as possible?

Mr. Zwodzesky: Mr. Speaker, I just want to be clear that I don't mind reviewing any situation. I mean, part of the job of a minister is to always look at that. Sometimes things are planned one way; they might come out a little bit differently in the other. We're hoping to not have to reverse any of those decisions – obviously, they were thought through quite carefully – but there are a few bumps that have been incurred along the way.

Now, I think the centralized model needs to be given a chance to work, and that's what we're doing with the first 17. The remaining 18 are where we're going to put a little more emphasis to see what we've learned from the first 17, but it doesn't mean that there can't be a little bit of crossover between the two.

The Speaker: Hon. member, an additional question?

Mr. Campbell: No questions.

The Speaker: The hon. Member for Calgary-North Hill, followed by the hon. Member for Lethbridge-West.

Health Care Workforce Labour Utilization

Mr. Fawcett: Thank you, Mr. Speaker. Like many other jurisdictions, we're facing some significant pressures within our health care system, and solutions are neither quick nor easy. It cannot be solved by simply hiring more bodies. One of the challenges at the forefront is labour utilization, particularly with nurses, and their self-regulated professional association has made a number of suggestions. My question is to the minister of health. How are you working with professional associations in the health care community to assess labour utilization and create an environment where the training matches the responsibilities?

Mr. Zwodzesky: Mr. Speaker, what we're doing is working in a very teamwork fashion. For example, we've recently established an Interprofessional Health Collaborative to look at how to better educate our workforce in terms of interprofessional practices. The collaborative is made up of people from postsecondary, from Alberta Health Services, from Covenant Health, employers. There's another one involved there that I just can't spot. Some private employers are involved as well. Some of the things they're looking at are potential curriculum redesigns and other practicum site issues.

The Speaker: The hon. member.

Mr. Fawcett: Thank you, Mr. Speaker. Again to the minister of health: what changes do you have in mind to better encourage collaboration and integration of the roles of our health care facilities rather than segregation of these roles?

Mr. Zwodzesky: Mr. Speaker, one of the purposes of the collaborative will be to look at possible propositions with respect to how we might shift the education and the health sectors toward better collaboration and better integration of effort. This is very much just in its initial stages. We're currently developing a specific work plan for the group. There will be more information on this available very soon. Primary care networks would be one of the initiatives, one of

the myriad of issues that different health professionals work very collaboratively on, and there are other examples.

The Speaker: The hon. member.

Mr. Fawcett: Thank you, Mr. Speaker. My final supplemental, again to the same minister: is your department able to measure optimality in outcomes and labour utilization, and if so, what processes are in place to do this?

Mr. Zwozdesky: Mr. Speaker, I think everybody in the Chamber and everyone listening, in fact all Albertans probably know that Alberta has been long respected for being a national table leader when it comes to issues like this, specifically with regard to how we can to the fullest extent possible utilize our health workforce's educational capacities better, its skills, and its experiences as a core strategy of moving forward as we work toward the Premier's vision of having the best performing publicly funded health care system in Canada. Next week, in fact, ministry and employer representatives from across the country will be gathering in Vancouver to share some of those best practices and measurements and promoting optimal workforce utilization.

The Speaker: The hon. Member for Lethbridge-West.

Professional Corporations

Mr. Weadick: Thank you, Mr. Speaker. Last year this government made a significant step forward in allowing some professionals to benefit from professional corporations. British Columbia and Saskatchewan allow their professional corporations to have investment companies and family trusts as shareholders in their professional corporations. To the Minister of Employment and Immigration: when will we have legislation allowing for investment companies and family trusts to be shareholders in our Alberta professional corporations so that Alberta professionals are once again placed on the same footing as our western neighbours?

The Speaker: The hon. minister.

Mr. Lukaszuk: Well, thank you, Mr. Speaker. I think all members on this side of the House would share with the hon. member in the fact that we all want Alberta to be not only competitive but the most competitive province in Confederation. However, I must say that the Professional Statutes Amendment Act, 2010, I believe, was proclaimed just some two weeks ago, so I would suggest to this hon. member: let's give this act a chance to even be implemented, see how it works, and if indeed there is a need to modify it sometime in the future, let's consider it.

The Speaker: The hon. member.

Mr. Weadick: Thank you, Mr. Speaker. If we consider looking at these changes, is there a need for other government departments to work with Alberta Employment and Immigration to effect these changes?

Mr. Lukaszuk: Well, not only is there a need for all departments, but there's a need for all members of this House. If you're hearing that there are concerns with the act as it becomes implemented, do definitely let me know. Naturally, all ministries that deal with professional bodies such as the ministry of health and our Attorney General, that deals with the legal profession, would be some of the

ministries. And definitely finance. I imagine that, ultimately, there would be some impact on the ministry of finance.

The Speaker: The hon. member.

Mr. Weadick: Thank you. And thinking of the impact on the ministry of finance, my final question is to the minister of finance. Will these changes to the rules for professional corporations have any financial implications for the province?

The Speaker: The hon. Minister of Finance and Enterprise.

Dr. Morton: Thank you, Mr. Speaker. I might begin by pointing out to the member that in assessing the competitiveness of Alberta vis-à-vis B.C. and Saskatchewan on this matter, you don't just look at the question of trust. You look at the overall tax structure. I'd remind the member and all members that Alberta's single-rate tax structure is the lowest top marginal rate of any taxes, lower than B.C.'s, lower than Saskatchewan's. We have no provincial sales tax, no capital tax, and no payroll tax. Let's look at the big picture when we talk about competitiveness.

Now, with respect to changes, Bill 53 cost us about a million dollars to implement. We haven't done the calculations yet on the change that the member is inquiring about.

2:40

The Speaker: The hon. Minister of Health and Wellness wishes to supplement an answer given earlier in the question period. As per our policy, I believe that it was in an exchange with the hon. Member for Airdrie-Chestermere, who will then be given an opportunity for an additional question.

Centralized Ambulance Dispatch

(continued)

Mr. Zwozdesky: Thank you very much, Mr. Speaker. I indicated that the city of Airdrie had divested itself. In fact, the decision has been made to divest themselves, yes, but it doesn't have an effective date until July 1, so it's not to be misconstrued. I want to make it clear, too, that the divestiture occurred after the contract didn't work out between them and Alberta Health Services. They came to some agreement – at least, that's my understanding – but I didn't want to leave a misimpression of the date of the divestiture. The effective date is July 1 of 2010.*

Mr. Anderson: Well, the reason that they've divested, Mr. Speaker, is that Alberta Health Services has said that they have to purchase two more fully staffed ambulance units in order to comply with newly imposed AHS regulations. Minister, did your bureaucrats tell you about that? It doesn't sound like it.

Mr. Zwozdesky: Mr. Speaker, I am aware that Alberta Health Services has brought in some new standards in some cases, and perhaps that's what's being referred to as regulations by another name. We'll review that, I'm sure, on Friday. It's important that as we look at this whole piece, we don't compromise patient safety or Albertans' safety in any way by putting too much pressure on one staff who are working in EMS and see that we leave somehow inadvertently no staff working in the fire and rescue side. We're working through those issues.

The Speaker: Hon. members, with that last exchange there were 119 questions and answers today. Twenty individual members were

*See page 511, right column, paragraph 10

recognized: nine from the Liberal opposition, two from the Wildrose Alliance Party, one from the NDs, and eight from the Progressive Conservative caucus.

In 15 seconds from now we'll continue with the Routine.

Hon. members, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

Introduction of Guests

(continued)

The Speaker: The hon. Deputy Premier.

Mr. Horner: Well, thank you, Mr. Speaker. Earlier today I had indicated that the Home Educators of St. Albert were going to be in our gallery, and indeed they were. I wanted to take this opportunity to read the group leaders' names into the record. They were Mrs. Kim Fisher, Mr. Glenn Fisher, Mrs. Adriana LaFrance, Mrs. Dawn Engler, Reverend Garry Engler, Mrs. Sherry Morrison, Mrs. Kathy Put, Mrs. Vivian Long, and Mrs. Barb Duteau. I know that they are still within our building, and perhaps they would hear the thunderous round of appreciation for their visit.

Members' Statements

(continued)

The Speaker: The hon. Member for Cardston-Taber-Warner.

Agricultural Safety Week

Mr. Jacobs: Thank you, Mr. Speaker. I'm pleased to advise this Assembly today that March 14 to 20 is being celebrated as Agricultural Safety Week across Canada. In Alberta agriculture is our largest renewable industry. I would like to encourage all Albertans to recognize Ag Safety Week and look for ways to participate. Plan-Farm-Safety is the theme of a three-year Canadian ag safety campaign, and it focuses on the importance of having a farm safety plan.

In Alberta we promote farm safety through a number of initiatives and a variety of awareness programs during Ag Safety Week and throughout the year. This week the government of Alberta announced that it is providing \$715,000 to ag societies to help them develop farm safety programs in their communities.

Alberta Agriculture and Rural Development's farm safety program works in partnership with rural community groups, industry, and other rural partners to deliver prevention programs that address farm safety awareness and workplace safety best practices. For our government farm safety is a year-round priority.

Agriculture and Rural Development's Safety Up! awareness campaign is targeted at new and young farmers. The Farm Safety Club educates children aged four to 12 years of age about safe behaviour on farms and works with 4-H to promote ag safety to its members. ARD provides \$120,000 to the Alberta Farm Safety Centre to support the safety smarts program, an in-class presentation to rural schoolchildren to increase knowledge and awareness of safety issues on the farm. This program, Mr. Speaker, reaches 50,000 students per year.

In conclusion, Mr. Speaker, I call on all Albertans to promote and be aware of farm safety this week and to reinforce good farm safety habits all year long.

Thank you.

The Speaker: The hon. Member for Lethbridge-East.

Fay Meikle

Ms Pastoor: Thank you, Mr. Speaker. On Monday Canada lost its oldest veteran. Fay Meikle passed away on Monday at the age of 105. Born in Oklahoma in 1904, Fay was two years old when her family pulled up stakes, headed north, and settled in Regina. Fay moved to Taber in her 20s and enlisted as a Wren in the Women's Royal Naval Service in 1942. In fact, her son, John, joined the navy at the same time, the very first mother-son enlistment in the Canadian navy. Fay served on a number of ships during the war and received the Canadian volunteer service and war medal.

After the war Fay worked as a librarian for the Taber school division for over 20 years. She was quite a Renaissance woman, greeting Prince and Princess Takamatsu of Japan at the opening of Lethbridge's Japanese gardens, participating actively in the Taber arts and crafts club, reading, dancing, weaving, singing, and travelling the world. She spent the last years of her life at the Extindicare in Lethbridge. I was very privileged to have known her.

I feel tremendously honoured to have been asked to speak at Fay's funeral on Saturday in Taber. She was a remarkable woman who made tremendous contributions to her nation, her province, and her local community. As we honour Fay and her contributions, we should also honour all of those who have served in our armed forces from Confederation to today, upholding Canadian values, defending human rights, protecting the innocent, and setting an example with their commitment to honour, duty, and loyalty. We owe everything to Fay and veterans like her.

The Speaker: The hon. Member for Olds-Didsbury-Three Hills.

Olds College Partnerships

Mr. Marz: Thank you, Mr. Speaker. Olds College has had some tremendous success in forming partnerships over the years with various businesses, industries, organizations, and individuals, all for the betterment of their students and our future economic prosperity in this province. Past partnerships include Henry Heuver, John Deere Ltd., the town of Olds, Chinook's Edge school division, the Calgary Stampede, the University of Alberta, and the Olds College Alumni.

Each year they celebrate their latest partnership success at their annual gala, which was held just this past Friday. This year's 2010 partnership of the year is the heavy equipment industry. As Chairman Bill Quinney so aptly stated: there are few groups that have had such a powerful, influential impact on Olds College in such a short period of time.

Mr. Speaker, it all started when a local construction firm approached Olds College with a need for a heavy equipment operator training program. It was soon realized that they were not alone in their need, that the need was industry-wide. Since the beginning five years ago over 38 companies and dozens of individuals have helped to expand this program to make Olds College a leader in heavy equipment industry training.

To date 213 graduates have completed their training to help replenish an aging workforce and fill many of the new positions created in Alberta's vibrant economy. Many of these graduates come from a wide variety of settings, including aboriginal and Métis origins as well as both male and female genders. Industry has been a true partner, assisting financially as well as with equipment donations to give students hands-on learning. The Olds College program has now grown to be province-wide, as they are now expanding to northeastern Alberta as well as into the Calgary region.

I'd like to invite all members of this Assembly to join me in congratulating the heavy equipment industry as Olds College partner of the year.

The Speaker: The hon. Member for Calgary-Glenmore.

Provincial Fiscal Policies

Mr. Hinman: Thank you, Mr. Speaker. Albertans have been watching and listening to this government for too long, and they are tired of the talk. They say one thing, and they do the other. Albertans are asking: why doesn't this government produce a sustainable budget? Does this government know what it means to be competitive? Do they know what a level playing field is? Does this government know what a true balanced budget is: cash in, cash out? Does this government know what an unfunded liability is? Does this government know what carrying charges are? Does this government have any plan, other than to buy now and let the next generation pay later, for the \$6 billion plus teachers' pension plan, which remains unfunded?

2:50

The situation we find ourselves in is pitiful. This government is not prioritizing and budgeting for our children. They are not building a better Alberta. They are continuing the PC way; that is, pretend to consult, power and control at any cost, centralized power and decision-making and the money. This government's defence on the balancing of their budget has all the drama of Hollywood and its stunts. If the cost of capital infrastructure is revenue neutral, why not build 20 more diamond overpasses? Their excuses are as pathetic as the stars of Hollywood who are arrested and charged with shoplifting, and their defence is that they are not guilty: we have the money to pay for it. This government is not prioritizing and budgeting for our children and their future. This government doesn't just fail to plan; they fail to think.

On a positive note, Mr. Speaker, happy birthday to my daughter, Janna Jade Hinman.

Tabling Returns and Reports

The Speaker: The hon. Member for Edmonton-Ellerslie.

Mr. Bhardwaj: Thank you very much, Mr. Speaker. I rise today to table five copies of the Capital Region Board's long-term growth plan. This plan was developed with the foresight of mayors and reeves from 25 municipalities in Alberta's capital region. The growth plan for the capital region, which expects an influx of about 600,000 new residents over the next 40 years, will manage the impact of development on land, water, and air; will promote the efficient use of land; and look at conservation and stewardship on private and public lands.

Thank you very much, Mr. Speaker.

The Speaker: The hon. Member for Edmonton-Centre.

Ms Blakeman: Thank you very much, Mr. Speaker. I have three tablings from constituents today. The first is from Pat Melnyk. She was very concerned about the food quality and hygienic care at the Royal Alex that her mother and her husband received at recent stays there and also concerned about the lack of long-term care beds available for seniors such as her mother. That's the second time I've heard stories like that this week.

My second tabling is from Rayn Fraess, who is very displeased with the royalty framework, feels that the oil industry is based on a nonrenewable, limited resource, and it needs to be done at a good price today or they will be back in the future, with no choice in the long run. He is also particularly concerned about land reclamation.

Finally, an e-mail from Mike Smit, who is a PhD candidate in computing science at the U of A, with great concerns about funding

to universities no longer being competitive Canada-wide, especially for top-notch students. We're having trouble attracting them given the cost of living. He came here four years ago because of the tuition cap and feels that that was a promise that has now been broken or has a large enough loophole to drive an oil tanker through.

Thank you very much.

The Speaker: The hon. Member for Edmonton-Highlands-Norwood.

Mr. Mason: Thank you very much, Mr. Speaker. I have two tablings today. First, I'd like to table the appropriate number of copies of a letter from Meryl Rowbotham, a teacher with the Edmonton public school board. She writes that the students in her school have recently been involved in several charitable projects, including raising donations for the Food Bank and for Haiti. She asks that the necessary level of education funding be in place to maintain a high level of quality education for the students.

As my second tabling, Mr. Speaker, I'd like to table the appropriate number of copies of 50 postcards signed by Albertans calling on the provincial government to keep its promise to build 600 new long-term care beds. The postcards are part of a campaign sponsored by the Canadian Union of Public Employees, which has gathered signed postcards from approximately 2,500 Albertans.

Thank you, Mr. Speaker.

The Speaker: Are there others? The hon. Member for Edmonton-Gold Bar.

Mr. MacDonald: Thank you very much, Mr. Speaker. I have three tablings this afternoon. The first is from Maureen Adachi, and this is a letter that I received electronically regarding Alberta Hospital. Maureen Adachi would certainly like to see it functional.

The second letter I have for tabling today is also regarding Alberta Hospital Edmonton, and it is from a constituent, Sarah Fraser. She also is expressing her concern about the government's long-term plans regarding Alberta Hospital.

I have permission to table these two letters.

My third tabling is information that I have acquired regarding Imperial Oil's plans to move up to 200 modules that are manufactured in South Korea through Montana to the Kearl oil sands project in northeastern Alberta this year and next year.

Thank you.

Statement by the Speaker

Mr. Speaker's MLA for a Day Program

The Speaker: Hon. members, before I call Orders of the Day, I just want to remind hon. members that on April 12 and 13 we will be hosting our annual MLA for a Day program for young people in the province of Alberta.

Interestingly enough, although this program is cosponsored by the Alberta-Northwest Territories Command of the Royal Canadian Legion, to date we have received 56 applications from 40 different constituencies. There are 83 constituencies in the province, so I've sent a memo to those members of the Assembly from whom we have not received an application. If you wouldn't mind, if you have some time, just check it out with some young people in your area if you're one of those who does receive a letter and basically encourage them to apply. It seems that a number of schools, a number of teachers don't seem to advise their students of these opportunities, which is a strange item, considering everyone's concern for the promotion of democracy.

Orders of the Day
Government Bills and Orders
Second Reading

Bill 10
Victims Restitution and Compensation Payment
Amendment Act, 2010

The Speaker: The hon. Solicitor General and Minister of Public Security on behalf of.

Mr. Oberle: Thank you, Mr. Speaker. I'm pleased and honoured to rise today on behalf of the hon. Minister of Justice and Attorney General to move second reading of Bill 10, the Victims Restitution and Compensation Payment Amendment Act, 2010.

Mr. Speaker, using the civil forfeiture process, this legislation has proved to be an effective crime reduction tool. The act allows the Crown to restrain and seize the illegal profits and property of crime and compensate Albertans victimized by criminal activity.

A recent Supreme Court of Canada decision called Chatterjee recognized the validity of civil forfeiture legislation. Chatterjee involved a constitutional challenge to Ontario's civil forfeiture act. The Supreme Court ruled that Ontario's legislation was constitutional and that it was within provincial powers to enact this legislation. It also recognized that crime imposes substantial costs on provinces and provincial resources. The court determined that it would be out of step with modern reality to conclude that provinces must shoulder the costs of crime but cannot seek to suppress it.

On the heels of Chatterjee, Mr. Speaker, the amendments being proposed will expand the scope of the Victims Restitution and Compensation Payment Act. These proposed amendments will allow the act to be used for broader purposes, including compensating public bodies such as municipalities for the costs of crime, allowing for the seizure of property that may generate little or no compensation to victims but that serves other purposes such as depriving criminals of resources, allowing dangerous or illegal property to be modified or destroyed, and expanding the powers to make grants to community-based organizations in order to prevent crime.

Mr. Speaker, the amendments will allow costs to be awarded against the Crown when restrained property is ordered returned to its owner. This follows the advice recently given by the Alberta courts.

In conclusion, Mr. Speaker, the proposed amendments will allow the civil forfeiture process to continue to make crime unprofitable and will expand the range of victims who can be compensated due to the harm caused by crime.

On behalf of the hon. Minister of Justice and Attorney General I urge all of my colleagues to support the bill, and I look forward to hearing comments during second reading.

At this time I'd like to move adjournment.

[Motion to adjourn debate carried]

Bill 11
Witness Security Act

The Speaker: The hon. Member for Grande Prairie-Wapiti.

Mr. Drysdale: Thank you, Mr. Speaker. I would like to move second reading of Bill 11, the Witness Security Act.

It is my pleasure to rise today to speak about Bill 11, the Witness Security Act. This legislation will complement the current federal witness protection program by establishing a provincial witness security program. This will provide another tool for the Crown and local police agencies to provide security for witnesses.

Investigating and prosecuting gang cases is becoming increasingly complex. When individuals are unwilling to come forward and give evidence out of fear of retaliation, it adds an extra challenge. One of the things that we've heard from police and the Crown is that there is a need for this type of program at the provincial level, where short-term protection could help move an investigation and prosecution forward. Alberta's law enforcement agencies and the Crown are working extremely hard and deserve all the means possible to do their jobs.

3:00

Witness protection is an indispensable tool in the investigation and prosecution of serious gang-related crimes in cases where there is a threat to the safety of the witness. Other provinces have already established their own witness security programs, and a provincial witness security program will help support Alberta's commitment to reducing gang-related crime and to making our communities safer.

I urge all members to support this important legislation, and with that I'd like to adjourn debate. Thank you.

[Motion to adjourn debate carried]

Bill 12
Body Armour Control Act

The Speaker: The hon. Member for Strathcona.

Mr. Quest: Thank you, Mr. Speaker. I'm pleased to rise today to move second reading on the Body Armour Control Act.

Rising levels of gang-related violence have recently resulted in heightened concerns about public safety. The Canadian Centre for Justice Statistics reports that Alberta had the second-highest provincial homicide rate in 2008, and approximately 25 per cent of all gang-related homicides in Canada occur in Alberta. Because of the inherently dangerous nature of the gang lifestyle, gang members often wear body armour when they engage in various forms of criminal activity, including drug trafficking, drive-by shootings, and even public executions.

The proposed legislation would allow the police to seize body armour from individuals who do not have a permit or are not exempt from the requirement for obtaining a permit. Police officers, peace officers, emergency medical service providers, Alberta Gaming and Liquor Commission inspectors, licensed private security guards, and others who need to wear body armour to do their jobs would be exempt from the requirement to get a permit. Individuals holding a valid firearms permit will also be exempt. Other individuals may be issued a permit on the basis that they have a legitimate occupational or personal safety reason to wear body armour.

The proposed legislation defines body armour to include garments or other items that are designed or adapted to protect the wearer from a weapon or other object used to cause serious injury or death. The proposed legislation does not apply to safety equipment used in sporting and recreational activities, nor does it apply to safety equipment worn to protect against workplace injuries; for example, safety equipment worn by loggers or meat cutters.

The permit system will be modelled on the licensing scheme contained in the Security Services and Investigators Act. Several provisions in this proposed legislation are modelled on that act.

Applications will be processed by the registrar designated under that act, and applicants will be subject to rigorous criminal record and background checks. Violations of the act will be punishable by a fine or a short custodial sentence or both.

The goal of this proposed legislation is to restrict the ability of violent criminals and known gang members to possess body armour while ensuring that law-abiding Albertans have access to this equipment for occupational or personal safety reasons.

The passage of this legislation would also advance one of the government of Alberta's five strategic priorities, to promote strong and vibrant communities and reduce crime so that Albertan's feel safe.

I encourage all members to support Bill 12, and I move to adjourn debate.

[Motion to adjourn debate carried]

Government Bills and Orders Committee of the Whole

[Mr. Cao in the chair]

The Chair: The chair shall now call the committee to order.

Bill 1 Alberta Competitiveness Act

The Chair: Are there any comments, questions, amendments to be offered? The hon. Member for Edmonton-Centre.

Ms Blakeman: Sorry. We'd been given a different order. We had the order as bills 4, 6, 8, and then 1. This has been changed today? Okay. Let me just dig that stuff out, then. Hang on.

The Chair: You can ask the Government House Leader to change the order.

Ms Blakeman: No. That's okay. I'm pretty fast on my feet.

The Chair: All right. Then we'll proceed with Bill 1. The hon. member.

Ms Blakeman: Thank you very much, Mr. Chair. I appreciate the opportunity to speak in second reading to Bill 1, the Alberta Competitiveness Act. Let me fish the bill out here. When I spoke in second reading, I raised the issue of the current concern about the competitiveness of the film sector in Alberta. Just to recap very briefly the issues that I was raising, really, we have two objectives, or I hope we have two objectives around film in Alberta. One is support for our indigenous productions, you know, support for development of scripts, of story ideas, hopefully our stories but not necessarily. With that are things like the support for the producers – they can get access to workshops at the Banff television festival, for example, and other workshops that are run – plus keeping film workers, including actors, technicians, artisans, here in Alberta so that they're available to work on this generally lower budget but indigenous film stream.

We do have a particular film strategy here which does allow for majority Alberta-owned productions, which are a minimum 51 per cent Alberta ownership and majority financial and creative control, to be eligible for a 27 per cent grant program back on the amount of money that they have spent, and that's capped off. The total fund is some amount that doesn't come to mind. It got cut this year. We just don't have enough money in this fund to be able to give everybody that 27 per cent, for example. There are enhanced eligibilities. If, for example, the production employs Albertans in three or more of the creative positions or two or more creative positions plus trainees, they're eligible for up to 29 per cent. That's what we call stream 1.

The second objective that we have here in Alberta, or at least I hope we have, is competitiveness for the non-Alberta, nonindigenous productions; in other words, the ownership of the production is less than 51 per cent Alberta owned. We've ended up with two streams in that one. One is sort of a hybrid, and the other one is definitively targeted towards out-of-province, generally big-budget Hollywood movies, if I can call it that way.

The hybrid was intended at one point to help us develop Alberta film producers. I would argue that we have done that. We've got very strong Alberta producers with lots of experience behind them now, and I want to continue to support Alberta producers. Don't misunderstand me here. I'm not trying to take anything away from them.

What I am trying to do right now is address the problem we're having with competitiveness with that larger stream in bringing in the Hollywood productions. What they've asked for, basically, is a bump up of the percentage that they would qualify for. The percentage I was addressing earlier, that 27 to 29 per cent, is the highest percentage that would qualify, and then it drops down from that. The stream 2, the equal or minority Alberta ownership, which is that hybrid one, is 25 to 27 per cent, but by the time you get to stream 3, all other eligible productions, you're into the 20 per cent range. If they do the enhanced eligibility, they could get up to 22 per cent.

3:10

We're just not competitive. In B.C. they recently raised their film tax credit from 25 to 33 per cent. I've heard from a lot of people involved in the film sector in the last couple of weeks, and I am shocked at how few of them have had work in Alberta over the last year, and almost none of them have work lined up for the next year. That competitive edge that we had – at one point we were just below B.C. in attracting outside production here into Alberta. Remember that for a small investment on our part we're getting a return somewhere between \$6 back per dollar invested and \$10 back per dollar invested depending on which formula you want to use. So it's great return on investment, but it also employs Albertans.

I just had an e-mail from a friend whose wife is a producer, and this is not small stuff. She was assistant director to Ang Lee on *Brokeback Mountain*. This is not small potatoes. This is big Hollywood stuff. She was assistant director on that, and she's now gone to B.C. to look for work. So there's a highly qualified director, producer, organizer, film worker who has not worked in Alberta and is now going to B.C. to look for work and is leaving her family here to go and do it.

When I look at this Alberta Competitiveness Act – and I know that it was really structured around the oil and gas sector, which we know is really important in Alberta – as I started to go through the technical document, the Project Committee Final Technical Report on Alberta's Natural Gas & Conventional Oil Investment Competitiveness to the Alberta Department of Energy, and the glossy brochure that the government put out called Energizing Investment, I've gone through the criteria there, and a number of things have popped out to me where I went: yeah, well, I would argue that the film community qualifies for that. When I start looking at stuff like, you know, government revenues, the energy industry has been the single largest contributor to government revenues in Alberta over the last 10 years. Well, the film community has been a pretty large contributor as well.

You know, when they move in and shoot a film, especially these big Hollywood budgets, I mean, they're coming in with millions and millions of dollars. Let me put this in context for you. A small budget film, an art film, that won the Academy Awards has a teeny

budget of \$11 million, okay? So even what we would consider – to me, \$11 million, I'll never see that in my life. That's a big budget to me, but that was considered small budget. You look at the budgets in things like *Avatar* or the guys running around, shoot-'em-up, car chase kind of stuff, they're into the \$100 million budget range.

Mr. MacDonald: *Brokeback Mountain*: how much was the budget for that?

Ms Blakeman: I don't know, actually.

When they come into Alberta and we can lure them into Alberta, they are dropping millions and millions of dollars in our economy that came from outside and get left here. The stories I've told of, you know, a props buyer or set dresser who walks into the antique shop in Nanton and basically buys the shop out, drops \$20,000 cash that day and walks away: you know, it really matters to us. That's money that's left in our small-business hands. It's left in our workers' hands, who pay taxes, who belong to their community leagues, who volunteer.

My friend, again, the one that's gone off to look in B.C., volunteers for her community league. She works for some of the charities in town in her spare time. Her two kids go to a local school. She's part of our community.

So what we've been asking for, talking to the Minister of Culture and Community Spirit, is that there is an enhanced rate that's available to those big budget films. What kind of jobs are we really talking about? Well, it's things like accounting, art and production design, construction, costumes, first aid, craft service, which is essentially food, greens, the grips and the riggers, hair, lighting and electrics, makeup – a number of those people came and sat in the gallery here last week – paint, paramedics, props, script, continuity supervisors, set decoration, sound, special effects, tutors for the kids that are on a set. You get IATSE local 669, international photographers, and you've got all of these lists of people that work in video and electronics and your director of photography, commonly known as a DOP, your first and second camera assistant, your stills photographer, et cetera, et cetera, et cetera.

You're into ACTRA, which is my union of actors, the association of Canadian television and radio artists.

An Hon. Member: You're still in the union?

Ms Blakeman: Yeah. I'm on withdrawal. I'm still a member of that union.

The Teamsters, local 362, do a lot of driving around. Just let me stop here and say that the teamsters driving around is the worst that this sector gets in creating greenhouse gases. This sector is green economy jobs. They are creative jobs. They are knowledge-based jobs. So, you know, the worst that they get is the car exhaust from the teamsters driving everybody back and forth, including people and equipment.

Other people that work in that sector are from the Directors Guild, for example.

More than 3,000 creative cast and crew work in this industry across the province, and they're not working. I mean, I met with these people in Calgary. They've continued to send me e-mails and Facebook and Twitter and everything else. They haven't drawn a paycheque in Alberta except for, you know, one or two. They maybe worked for a month in Alberta. You know what? These people are good. They're good enough that they're getting called away to work in other places. So we're training people to go and work for our competitors.

Where are we losing business to? We are losing business to New Mexico, which will fill in for all those westerns that we used to get and draw them in. They've drawn them into New Mexico now. They're offering a better deal. They are more competitive in this sector, so that's where the big-budget westerns are going. All of the big-budget westerns that are being filmed this year are being filmed in New Mexico. We're losing big-budget films to Saskatchewan, and we're losing a whack of business to B.C.

I'm so frustrated with this. It's a green economy. It's making sure that Albertans work and their taxes come back into the coffers of the government. And who's paying them? It's money from outside. When I look at what's important here and what's in this book, they talk about, you know, revenues. They talk about taxes. Well, there you go. We pay people. They pay taxes into this system. We talk about changes and challenges in developing our resources. Well, there's the challenge. We can't compete anymore because of the percentage that's in place.

We've had the industry send a couple of signed letters and recommendations to the minister in which they're suggesting how they could be helped. One of them is combining the streams 2 and 3 so that those big-budget films get a better percentage. It doesn't necessarily have to be combined. It just needs to be a better percentage. You can see what we're up against in B.C. They're killing us, absolutely killing us. So is Saskatchewan, and so is New Mexico. They're wiping us off the planet here. They need the stream 3 funding percentages lifted up into that stream 2 level. Or, if you want more business, raise it even higher than that, and we'll get it.

Now, there's also been funding that has been cut to the Alberta film development fund. That's where we help our local people develop those stories and assist our local producers. There's been a cut in that. I understand, you know, that we all had to take a hit because of where we are with the budget. But this one can make us money. This one can keep Albertans employed. So maybe we need to have another look at that.

I'm just looking for the suggestions that the community had given and what could be helpful here. They were asking for enhanced eligibility for key positions. I listed off a bunch of different people who got work in this sector, and I'd sort of indicated that you could get enhanced eligibility if you hired more of them or included more in that category. But what they're suggesting is that we have additional incentives to hire more Albertans in key creative roles and expanding what we're listing as a key creative role, so adding in things like production manager, costume designer.

We have some really good costume designers here. Here's another example: Wendy Partridge ran one of the biggest costume shops in Canada, and she ran it out of Calgary, and she has closed it and left the province.

3:20

Mr. MacDonald: She didn't move to Edmonton?

Ms Blakeman: No, she didn't. She left the province. Honestly, she was one of the biggest costumers – like, of the films that I shot way back when I was still really active in this community, she costumed every single person in the production. So she was a big, big costume house, a big costume designer. She's gone. That was a lot of money. She hired a lot of local people as well as other artisans to work with her.

Production designer, which is different from – there are all different categories of designers; just trust me on this one – an art director, and increasing the number of performers that they would consider in lead positions from two to three.

Also, to look at a regional bonus. Now, we're aware that often the films that come into Alberta are actually shot in rural Alberta, so they're a huge bonus for some of our smaller towns, like, for example, Fort Macleod. In *Brokeback Mountain* there are a number of scenes that if you know Fort Macleod well, you recognize Fort Macleod. Actually, they have a tourist business now where they take people around to where certain scenes were shot. It really helps us if we can get those film companies to come and shoot in certain regional areas.

They were asking for a regional bonus to see a short-term benefit through the shooting schedule and the amount of money that's spent while they're shooting. But then that longer benefit is for tourism. So a regional bonus would be very helpful, and they're suggesting a bonus of 2 per cent when a production works outside of the established Edmonton and Calgary studio zones. Well, that's rural development. That's exactly what that is. That would be very helpful because there are some really beautiful, wonderful places in Alberta that are very scenic.

As I talked about before, Alberta has some unique things, like the quality of our light. We can compete with other places on a lot of other levels. We're getting killed, absolutely killed, by the incentives that we are not able to provide. So if you can make our incentives the same or a little bit higher, we can compete. We have the talent. We've got the experience. We've got the trained people to do it. We've got the creative stories to do it. We've got the scenes to do it. We've got the light to do it. We compete except that what we've got for incentives now is just tanking us.

The minister has worked a lot with the local producers on the issues, and we thank him for that. I encourage him to work more with the union side and the guild side, which is representing the workers. I've listed a number of different ones. It just strikes me that when we're looking at something like Bill 1 and Alberta competitiveness, you know, here's the future. We've got Richard Florida telling us all the time: creative thinking, creative classes. We've got other future thinkers and futurists that are saying: knowledge-based economies are where we've got to go. Here it is. I'm giving it to you. It's on a platter. They're green jobs. It's money that stays in the province that comes from outside of the province. This is low-hanging fruit. It's low-hanging fruit for green economies. It's low-hanging fruit for competitiveness. We just need the focus and the thinking on it.

I've talked to a couple of the members of the front bench there in trying to get them onside. I flagged it specifically today to the money guy. So I'm hoping that I can convince you to look seriously at this. If you want to ask me questions, please do. I have, as you are used to with me, many, many different documents here. I'm happy to talk about it or to set you up with somebody in the industry. It just strikes me that there's real potential here. You understand that from the oil and gas sector. I just watched you walk through it with your competitiveness strategy for the oil and gas sector. You guys get this, but you should be able to get it beyond the oil and gas sector. I think you can.

Thank you very much for that opportunity to lay this argument out again. I look forward to some pickup on this conversation, and I vote for support.

The Chair: The hon. President of the Treasury Board.

Mr. Snelgrove: Thanks, Mr. Chairman, and thanks to the hon. member. There's no question that this particular industry is one that you are very familiar with and very passionate about. I respect that.

There's no question that you can make very compelling arguments for just about any industry. We do look at the one side, and we have

seen and I know you are aware of some of the discussions that are happening in the United States right now. California saw a leakage of the movie industry around, and now they're saying: "Well, wait a minute. What have we got to do to get them back?" Yet it is very difficult for a state like California, who's squandered pretty much their opportunities right now, to tell folks: well, we have to send home a whole bunch of schoolteachers, we've got to cut our state staff down to working a few days a week, but we're going to give a little bit to the film industry to get them back.

When the film industry showed up in Hollywood just a few weeks ago, with the megastars and the billions that the movies make, people say: "Wait a minute. Why am I, Joe Q. Public, greeting people daily at the Wal-Mart to give my tax dollars to an industry that seems to do pretty good?" That's a real basic question that you have to answer every time you take tax dollars.

While I can appreciate the argument used, that, well, if you spend one, we can show – I think even our documents agree that the benefit to Alberta is in excess of \$100 million for what we've invested. That argument also can be taken over and show how much we benefit from the arts and the cultural things that we support in a small way and the multiplier effect in a community. So I don't disagree. But every dollar we spend comes from a taxpayer, and when you take a dollar out, it also has the effect of taking a dollar from someone who can't spend it on something that they choose to be directly spending it on.

It is a little troubling to see, you know, that you say that we're losing it to Saskatchewan and British Columbia. I met Premier Wall yesterday in Lloydminster, and I can tell you that the discussions they're faced with in their government right now are extremely difficult. They, too, have seen so much of their potential financial stream disappear that they're going to be faced with a very difficult challenge. We know that Mr. Campbell came immediately back after his election and restated their budget, showing them to be in extremely difficult states. They are some \$30 billion in debt.

While not disagreeing that there's opportunity here, it is difficult for me to understand how provinces can borrow and pick an industry like this to support from that position. It shouldn't be about a race to the bottom.

I had an opportunity years ago to visit a set that was the filming for *Open Range*, a Kevin Costner production. While they appreciated the incentives and stuff they had – and I don't disagree at all on the expertise in the film industry in Alberta and the staffing and that talent. No questions, I think, from anybody on that, that we've got some of the best. He was here because at that time we had a 69-cent dollar. This was a film that he was a shareholder in. He said, "You know, if I had my choice, I'm a patriotic American, and I would far rather film this in Colorado, Wyoming, Montana, but for 69 cents on the dollar I've come to Calgary." They loved it. It was a huge selling film for the scenery and that in Alberta, all of those benefits. Obviously, they came back for *Brokeback Mountain*.

Yes, I accept your arguments that there is a multiple benefit to it, but let's just look at some things that we support. Apparently, this has been brought to our attention many times by you as being inappropriate use of taxpayers' money: Horse Racing Alberta. Now, you know, actually, that we don't give them one cent. They get to keep the dollars that they raised as their share of the slot machines on their horse-racing facilities. It isn't supported by the taxpayer by one cent, yet as the hon. members know, it has been raised in this House time and time again: why are we supporting Horse Racing Alberta? They wouldn't argue that it supports 7,000 or 8,000 jobs in that industry. Without going into: how many different spinoff jobs are there from it? We don't know. Obviously, it's politics, and I can accept that. But the fact is that we don't give them a penny;

we let them keep the money they raise in their slots. And for that we're taken to task here by those who wish to remain less informed.

3:30

The other thing that you need to talk about is really kind of: if you like hockey, it's okay; if you don't, it's not. A couple of years ago Mr. Manley, I think, proposed a \$20 million credit for NHL teams. Now, I don't think there's any question that when there's an event at Northlands, I think around 1,200 people go to work that day. Northlands is one of the busiest arenas in North America, so probably 260 days. Now, I don't know if they use all those people, but with hockey games and with parking and pizza cooking we stand up here and say: "Boy, that's a really good thing. We need to give Mr. Katz a little bit of help with his taxes so that he keeps the hockey team here. And the folks that own the Calgary Flames."

Would we get into that discussion about how important the spinoff dollars are around those industries? Or is it easy enough to say: "Wait a minute. That's providing opportunity for multimillion-dollar-a-year players to do what they love to do. We're paying them too much money. People don't have to go see them. It's completely voluntary. If you can pay \$136, whatever the ticket price is, and if you can pay that much for adult beverages and pizza, that's your choice." You know when you go into it that a tremendous number of spinoff jobs are created from having two NHL teams here. I know that if you went to Winnipeg and asked people on the street, "Do you regret losing the Winnipeg Jets?" they'd say, "Absolutely." They'll do anything to get them back.

So the identity of your province, what you sell: yes, it's in the movie industry; yes, it's in the hockey industry; yes, it's in horse racing. You've got to sometimes put the knife on the cake and cut it. You've got to balance things. That's what we can do right now.

I do accept your arguments that we do have the expertise. We do have some of the most talented, the most creative people in the country. We have all that, but I think that you've got to take all of the opportunities we've got, put them in the same shaker, shake out the real facts, then make your decision and go forward.

I'm going to thank you for staying on this and for pushing it. It is a part that I think as we go forward as a province we will develop, but I think we'll develop from a position of being fair, being low tax, creating the environment so that business wants to come and stay here, making sure you have the transportation opportunities to and from Alberta and within Alberta, making sure that we don't unduly hamper productions that want to come to Alberta, really doing the things that we do for all the other businesses. From that point on I think you'll develop a really solid industry that is built on real dollars and not some tax ones.

Is there an opportunity to work within the system? I hope so. I hope that our financial opportunities expand, that we are able to look at these and take a really good Alberta and make it a lot better.

I accept your arguments, but I will say that just because one is very passionate about movies, there are many other cultural and artistic opportunities in Alberta that would think they are more important. I think you have to keep that at the base of the argument.

I do appreciate the opportunity.

The Chair: Hon. Member for Edmonton-Centre, do you wish to continue?

Ms Blakeman: Yes, please. Thank you so much. I really appreciate the President of the Treasury Board listening to me. Just one last pitch on this one. Even if we put no money into this, no extra money, if we change the way it's set up, that will still help us because this is time sensitive. Soon we won't have the people living

here anymore to be able to do this. That makes it harder to attract people. So there is a time sensitivity to this.

If we're able to make some changes, the changes I suggested – upping the percentage of qualifying revenue on those streams, allowing for the key positions to be included in the way it's calculated, and looking at the regional bonus – that's not changing the amount of money. If you can help the minister of culture with this, that will make a difference for us. At this point if that can happen soon, we could probably still land one or two big-budget films for the fall. We're not going to get spring shooting now, and we're not going to get summer shooting. We might get fall shooting if we moved fairly quickly. This is stuff you can do without putting any more money in there.

That's what I'm encouraging. Clearly, I'd like the money. I mean, I'm not kidding you. I'll ask for it officially: I want more money in that fund, and I want the money restored. Really, what they're asking for right now is the change in the percentage for stream 3. They're asking for the recognition of those other key positions to be considered for the enhancement, eligibility, and the regional bonus. That you can do without any more money.

I'll just make one last pitch on that one. I think Alberta needs to move forward with competitiveness, looking for competitiveness advantage in more than just the oil and gas sector. I really appreciate the willingness of the front bench to listen to me on these arguments. I'm . . .

An Hon. Member: Speechless.

Ms Blakeman: Well, no. I'm just wondering if I should argue about horse racing again.

Mr. MacDonald: Just tell him it's in the grants of public accounts. It's not in contracted services. [interjection]

Ms Blakeman: Yeah. Why don't you do that?

Well, it is a special deal, right? The horse racing and the way they get the money is a special deal, and they could choose not to have that special deal for that particular sector. Oh, now I will get e-mail from people far, far away chastising me for not being supportive of horse racing. I'm just correcting him. Every time he corrects me on the record, I'm going to correct him back.

This is a special deal to allow them to get that money. Thank you very much for considering that. I'm just going to put the bug in his ear about the changes that can be done without adding money to that fund, and of course I'm asking for more money.

Thank you, all, very much for considering that. I really appreciate it.

The Chair: Any other hon. members wish to speak on this? The hon. Member for Airdrie-Chestermere.

Mr. Anderson: Thank you, Mr. Chair. Alberta needs to move forward with competitiveness. Couldn't agree more with that. I was just reading an article in the *National Post* from yesterday or the day before that talked about the competitiveness of Alberta and the lack thereof. It talked about what they termed the Wildrose effect and how this government finally has done one of the first legislative things to increase competitiveness in Alberta, one of the first fiscally responsible things since the 1990s. Boy, is that ever the truth.

This government has really done a job on our competitiveness. It was on cruise control from about 2000 to 2005 or so, and then it just fell off a cliff at the end of that. We've been going downhill ever since. I think of that energy competitiveness review and think about

the number of jobs that were lost. You know, the government's comments on that are: "We need to move on. We need to move forward." They're right. I mean, we do need to move forward. There's no doubt about that. Obviously, we don't want to stay where we are. It's not in a very good place.

What they fail to talk about or recognize still is the incredible damage that they've done to our international reputation on competitiveness, the incredible damage that they've caused the Alberta job sector. These are Albertans that have lost their businesses. You know, I have a friend in the President of the Treasury Board's home riding. He's my uncle, actually. He's a trucker. He did oil and gas trucking. He's on the verge of losing the truck that he owns because he can't find the work in the oil and gas sector that was there. There's no doubt that commodity prices had something to do with that. There's no doubt. There's also no doubt that a huge part of the industry coming to a standstill or falling off the cliff, so to speak, has been because of this government's bungling of the royalties.

3:40

They were warned. They were absolutely warned. They were warned by people in their own caucus, at least a dozen of them. That's a fact. We all know that in this room, you know, who have been in the caucus there. This warning was given clearly. They knew before 2009. On January 1, 2009, when the new royalty framework came into effect, they knew about shale gas, and they knew about the game changer that it was. That was knowledge in the industry at that time, and there was report after report and presentation after presentation given to government, yet they stubbornly moved ahead with an absolutely harmful policy.

Thankfully, they've gone back and are starting to correct their mistake, but they won't admit that they made a mistake. They won't admit that they were wrong. They won't say they're sorry, and they won't promise that it will never happen again. Those things were very much missing from the competitiveness review.

I hope that this Competitiveness Act that we have before us will give the government a chance to make sure that we don't make the same mistakes, that we're actually always going in an upwards direction, always making sure that we're more competitive, not doing things to fulfill some kind of weird socialist dream: you know, everybody is going hold hands, and we're going to take more from corporations, businesses, and individuals, and everything is going to be great.

No, it doesn't work that way. People leave when they're taxed to death. Industry leaves when they're taxed to death, and that's exactly what happened. That means we all suffer. With deficits we can't pay for our health care, can't pay for education and these types of things. We all suffer when we drive out industry that way, when we raise taxes, and that's what this government did.

I do congratulate them for, although they won't admit it, at least coming back and stepping back from their obvious mistake. I would note that they still didn't get it right. I noticed that the president and CEO of EnCana was in the media yesterday. I guess they've done the analysis on the new royalty framework. They still don't have the curve, so there's still some uncertainty, but they've done an analysis, and they've found that even still – even still – Alberta will not be as competitive as B.C. or Saskatchewan or many U.S. states like Texas, Montana, and others.

Because of that, to quote the president and CEO of EnCana, they're increasing their investment this year in natural gas from 4 and a half billion dollars to \$5 billion, so another \$500 million. The vast majority of that will still not be invested in Alberta. It'll be in B.C., Saskatchewan, and Texas because that's where it is more competitive to do business. So of that \$500 million of investment

very little will be spent in Alberta. That's the situation we've gotten ourselves into.

The government is moving in the right direction, but again, hopefully, this Competitiveness Act will give them the tools they need to realize that there is still a lot of work to do. I sure hope they get the curves right, and I sure hope they get it right moving forward.

The hon. Member for Edmonton-Centre talked about the film industry. She's absolutely right: we're not as competitive in the film industry as our friends in B.C. or Ontario. Now, we definitely haven't rearranged the tax rates, et cetera, on the film industry in the wrong direction recently, but we haven't done anything either. I think that what the Member for Edmonton-Centre is saying is: look, if we're going to try to discuss what we're going to do to make the energy sector more competitive, then why wouldn't we do that for all sectors, the film industry being one of those? This province is obviously much more than just energy. We all know that, and we've got to make sure that we're all working to make all industries competitive, including the film industry. So I really appreciated those comments.

Personal and business taxes. We talk a lot about the Alberta advantage, Mr. Chair, and we talk about how proud we are of it, although we changed the slogan of Alberta to freedom to choose – what is it? I don't know. Anyway, we've changed it. It used to be Alberta advantage. Albertans kind of chose that one for themselves. We've decided to change that.

Let's talk about the Alberta advantage. Do we still have the Alberta advantage? I don't think we do. I think it's eroding every day. There's no doubt that we're still more advantageous from a tax perspective than a lot of jurisdictions, but we haven't made improvements in that area for a long time. Because of that we're essentially falling backwards, back to the pack, and we will be surpassed.

In British Columbia, Mr. Chair, if you make under \$115,000, which is – oh, I don't know; what is that? – let's say 90 per cent, 95 per cent of the population, something like that, it is more tax advantageous from a personal income tax perspective to live in B.C. than it is to live in Alberta. Does that help us retain doctors? Does that help us retain health care workers and teachers and people like that? No, it doesn't. So we've got to make sure that we're doing a better job of making sure our personal income taxes are more competitive and more in line with the best in our country, which right now is B.C.

With corporate taxes, same thing. We have not lowered that rate for a long time, and other provinces are catching up. New Brunswick has a plan in place where corporate tax will be coming down to 8 per cent eventually.

Again, we need to be looking at this and making a long-term strategy for how we're going to grow the heritage fund, how we're going to save the heritage fund and use the interest from that heritage fund every year to offset a reliance not only on oil and gas revenues but also on personal and corporate income taxes so that we continue to get people into this province working and paying taxes and growing that pie, as they say, so that even though we're taking a smaller slice, we're taking a smaller slice of much more. That's kind of what we're trying to achieve.

The other problem that we're running into, Mr. Chair, is that we're kind of facing a real big problem here because of this government's financial mismanagement. They love to say how great they've done in managing the finances of this province. Well, there's no doubt that their predecessor administration did have their moments where they did balance budgets, and they did put money away. But the current Premier and the President of the Treasury Board and the finance minister and people who've been in charge, the previous finance minister, seem to be taking claim for stuff that they weren't in charge of and they didn't do.

Since they've taken over this government – and democratically. When I say “take over,” since they've been elected and appointed to the positions where they are now, they can claim nothing in this regard. They have done nothing to make us more competitive. They have done nothing to save for the future at all, zero, zilch. I just think it's funny that they keep saying: we've done a great job. No, no. Some of your predecessors did a good job, some more than others; some years were better than other years. But it wasn't this administration. It wasn't the Premier. Since they've taken over, we've done nothing but overspend, lose our savings, and go down in our competitiveness nationally. You know, I think it's funny that they keep taking credit for other people's successes and then blaming everyone else for their mistakes. That's not something that they should be very proud of.

The other problem is, of course, that if they continue down this road and they continue to overspend and they continue to not save and continue to not have a savings and spending control strategy, there's going to be another cliff that they hit. And when they hit that cliff, what's going to happen is that they're going to have to slash core social programs that we all rely on: health, education, seniors' benefits. That train is coming down the track right now if we do not get our spending under control.

3:50

Who's going to pay the bill? Are the people over here going to pay for it? No. It's going to be my kids. It's going to be their kids, my grandchildren, their grandchildren. They're the ones that are going to have to be sitting with a bunch of social programs that they can't afford to pay for, an infrastructure that they want to maintain that they can't afford the upkeep on.

That's why we're saying over here in the Wildrose that it's a good idea to start thinking about implementing a long-term savings and spending strategy that will make sure that we leave to our kids a better future and programs they can pay for and infrastructure they can pay for. That's the whole point. That's what sound fiscal management looks like. It's not an ideological thing. You know, I credit the Liberals for talking about a savings strategy. They've been talking about that for years. You would think that fiscally conservative people, you would think that fiscally conservative governments would actually try to at least be as fiscally conservative as the Liberal Party, but I guess that's too hard for them. That's a huge problem that we have.

What we need to be looking at is a diversification strategy, not picking winners and losers, Mr. Chairman. I hope this competitiveness bill will allow us to set up some sort of body that will help us look at the question of diversification. It's not about picking winners and losers and throwing money – a hundred million dollars here, \$200 million there – to try to guess what the next big industry is going to be. Things change every day. There was just an announcement today that they've found a way to turn coal into petroleum at \$18 a barrel. I mean, this is big stuff. Stuff changes all the time. We can't be picking winners and losers when things are so fluid.

What we need to be doing is growing the base, growing the base of the heritage fund to the point where the interest thereon will allow us to have less reliance on oil and gas revenues as well as on personal and corporate income taxes. That was the dream. That was the vision of Peter Lougheed. That's why he set it up. We've got away from that vision. We need to get back to that vision because it was the right vision, and it's just as applicable now as it was back then.

With that, Mr. Chair, I'll sit down. I've said in the past that I will support this bill because it's going in the right direction. I don't like

the direction we've been, but I'm seeing signs that we're starting to turn the corner, and I think that that's a positive development. So I will be supporting this bill.

Thanks, Mr. Chair.

The Chair: The hon. President of the Treasury Board.

Mr. Snelgrove: Yes, Mr. Chairman. It does bring some questions to the table. I would have to question, you know, that if a government was pretty much destroying a province for the last, oh, 20 years or so, from the '90s on till now, particularly from '93 to 2003, if you were in a province like that and the government was just about doing everything wrong it could possibly do – kicking out business, tripping little old ladies going across, everything the government could do wrong, as a matter of fact so bad that you just can't even imagine all the horrible things that they were doing – could you imagine that somebody who knew all this, who was in that province watching it being destroyed right before their eyes, would want to run for that party? Honestly, wouldn't you say, “Well, if that's all true, if that's all true and the government is pretty much on autopilot – they've completely lost the way, they don't know how to save, they don't know any of that – I don't want to be a part of that?”

That would tell me he had two things in mind. One, a lot of this information isn't necessarily true and it's come to the top of that person's list lately, or it would be one of extreme opportunism. Wouldn't you think: I can't get elected in Alberta on a hundred per cent negative stuff, so I maybe just better kind of think this through; if I can get elected to that party, then I can do something else. Mr. Chairman, I'd ask the hon. members. I think it was Mark Twain that said: I don't want to be a part of any group that wants me. Well, that's true also.

Mr. Chairman, what on earth do you suppose would drive somebody who knows so much about how bad a government is to seek nomination, go out and knock on doors and try to get elected for the very party that they're saying is destroying the province? That's incredible. Maybe other people find that incredible. I find it incredible.

Mr. Anderson: I'd love to respond to that. I don't know what it has to do with Bill 1 – we're talking about competitiveness and tax competitiveness – but that's all right. You know what? As the hon. minister he just has to learn to clean his ears out a little bit, Mr. Chair. What I said is that up until his administration – his Premier's, current Premier, in 2006 – up until that time the PC government had had its moments. It had done a reasonable job or a very good job, depending on the year. It kind of fluctuated back and forth but reasonably more good than bad, for sure. Now, 2006 came, and in came the current Premier, followed by his President of the Treasury Board and the finance minister and his illustrious chief of staff. Since that time this province has been going like this.

Now, when I ran for office, I ran as a Conservative, a fiscal conservative, Mr. Chair. That's what the flyer said: conservative. I'd go and promote for my constituents fiscal accountability, savings for our children. That's what I campaigned on. This government has gone running in the opposite direction, and my constituents were disgusted with them. They're not disgusted with all the backbenchers; there are a lot of good ones, a lot of MLAs or private members. Not disgusted on that but very disgusted with the administration itself and the direction that it was going.

You know, I concede, Mr. Chair, that I was a little bit hoodwinked, for sure. I thought that this Premier would govern in a conservative manner, that he'd be fiscally responsible. Absolutely.

But that is certainly not what happened in the last two years, and it's shameful. I know that the President of the Treasury Board is feeling a little bit uncomfortable in his own skin right now with the job that he has done, but in two years we will see how this all comes out in the wash, for sure. We'll see what happens then.

Mr. Oberle: Mr. Chairman, I must say that it surprises me not a whit that that hon. member's constituents are disgusted. I would have to ask him: maybe it might not be a bad idea to come clean with his constituents and table the list of school projects and health projects and highway projects and other spending that he asked to have cancelled in his constituency so Captain Regressive over there could save the province and its budget deficit.

This government has done right by the people of Alberta, Mr. Chairman, and there is nothing more to add to his comments.

The Chair: Hon. member, I think Bill 1 is about Alberta competitiveness, so let's focus back.

Thank you.

Mr. Anderson: Competitiveness Act, Bill 1. This is a good question, and it was a very shameful comment that the member made prior to this, but that's all right. He's above that, and it's disappointing to see him lower himself to the hon. President of the Treasury Board's level.

That said, what I would suggest we do as a province to be more competitive, to make sure that we remain competitive is that instead of talking and making arguments like that, which are very left-wing, socialist arguments, that if we can't build everything today, if we can't build everything right now, seniors will be out on the streets, children will be running through the streets unattended by their parents during school hours – it's just unbelievable, Mr. Chair.

Any business owner knows that you have to live within your means. You have to. Any person who does a budget knows you have to live within your means. You can't have everything you want right now. It's just simple. Instead of spending twice as much as the next closest province on infrastructure, maybe only spend one and a half times as much. These are the things that we could be looking at to be more competitive, to make sure our spending was kept in check. We don't need everything right now.

There are multiple roads in the county of Rocky View, for example. We can delay that a year and a half, two years. Absolutely, we can do it. That would save us \$40 million right there. Done. The hon. Minister of Employment and Immigration has said: consider it done. I think he's alluding to the fact that now that I'm over here, he would love to make sure that we were punished and that the citizens of Airdrie-Chestermere are punished because of that decision. That's how this member plays politics, and that's fine. The point is that we've got to get back in this province to being more competitive in the long term, and the only way to do that, Mr. Chair, is to have strong fiscal planning for the future so that we don't leave our kids bankrupt. That means that we don't need everything right now.

Thanks.

4:00

The Chair: Hon. Member for Edmonton-Gold Bar, do you wish to speak on Bill 1?

Mr. MacDonald: Yes, Mr. Chairman. I listened with interest to the previous debate. I realize that some people may not have linked that discussion to Bill 1, but certainly I did because it is a form of

competition to hear the hon. Member for Peace River and the hon. Member for Airdrie-Chestermere talk about their views and compare their views.

However, I have some issues around this bill. I am not convinced it's necessary, but when we talk about competitiveness – and we spent a lot of time this afternoon talking about the oil and gas industry – I have some views that are certainly different than previous speakers'.

But before I get to that, I would like to express my gratitude publicly to the hon. President of the Treasury Board for his willingness to always participate in debate and discussion in this House. I think that's important in a democratic institution, and the Treasury Board president is always willing to debate and discuss issues. I appreciate that. I had a question earlier in question period, Mr. Chairman, and I had initially, I must confess, planned to ask the hon. President of the Treasury Board about education property taxes. Then I thought that we've been neglecting the finance minister, and I should ask him some questions about finance. After the response I got, I was disappointed that I had not done what I had initially planned, and that was to ask him some questions.

This is about competitiveness, but it's within the province. Perhaps I can get an explanation from the Treasury Board president before we conclude debate on this issue. Now, as I said earlier, in 2009 the city of Edmonton paid \$316 million in public, separate, and undeclared tax allocations for education property taxes. Five years before, the public, separate, and undeclared portion of the property tax in the entire city was \$261 million. That's an increase of \$55 million over that period of time, or slightly more than a 20 per cent increase, in the education portion of property taxes.

The government's consolidated financial statement indicates that for the year 2008-09 we paid \$1.4 billion in education property taxes across the province. The issue has been raised by taxpayers in the city as we progress through these public school closure debates throughout various parts of the city. Property owners are curious not only about how much tax they pay in their respective neighbourhoods but the total amount that's paid in the city. Are they getting education support from the taxes that they pay in their local public and separate schools within the city?

My question would be, Mr. Chairman, to the hon. President of the Treasury Board: what percentage of the money collected, in this case \$316 million in the city of Edmonton, is going to the separate and public school boards? When it is pooled, if it is all pooled in one pot, what portion of this \$316 million is going to other jurisdictions across the province or other municipalities that don't have the same property value assessments that we have in the city of Edmonton? To cut to the chase: are education property tax payers in the city of Edmonton subsidizing schools in other jurisdictions with this \$316 million allocation for 2009? If the hon. minister would clarify that, I would really appreciate it. Certainly, the minister of finance couldn't – I'm not going to say "wouldn't" – answer earlier.

While the Treasury Board chairman is organizing his notes, I certainly would like to express my gratitude to the hon. Member for Calgary-Currie. Earlier we had a discussion in our caucus about royalty rates and which direction we should go and what we should do. He pointed out that we needed to look at some of the financial statements of various players in the oil and gas industry since 2009, when the new royalty framework was implemented, and what exactly has happened since. I did that. There's quite a range of royalties now being paid. This is before the changes that were initiated last week, Mr. Chairman.

Royalty rates, if you compare them to, you know, percentage of production value, certainly have gone down. There are various companies, and I could certainly list them off, but you can look on

any Internet site, and you can see for yourself that royalty rates have gone down.

Now, the hon. Member for Airdrie-Chestermere mentioned EnCana. I think that at this time I would like to note that I looked at the third-quarter 2009 interim report of EnCana Corporation. They're talking about operating upstream. For those who are interested, this would be page 2, I believe, of their interim report. "This reduced production was partially offset by lower royalty volumes in Alberta due to price sensitive royalty rates." The price-sensitive royalty rate that was initiated seems to have lowered the royalty volumes.

EnCana would be one of the companies that's aggressive in their pursuit of opportunities in shale gas, not only, as I understand it, in the Barnett shales in Texas but also in New York state according to information that I have. Some of the rights there are much more expensive than what they would pay in this province, but they don't seem to have a problem with that. Some of the royalty rates that are charged down there are a lot higher than they would be paying in this province. I would like to point that out in a debate on the competitiveness of this province. With its oil and gas royalty rates and the regimes and the overall combined tax take, I don't think we're as uncompetitive as some would make us think.

Now, Cenovus, in the third-quarter 2009 interim report for EnCana, is an offshoot or breakout or spinoff of EnCana. It's their oil business.

Cenovus plans to invest about \$700 million in Canadian Plains natural gas and oil production which is expected to generate strong operating cash flow, estimated in the range of \$1.9 to \$2.3 billion in 2010. These assets are a reliable source of free cash flow that will help fund future growth of enhanced oil production.

Before hon. members get too excited about our royalty rates and our tax structure, we should get an idea of exactly what this group means when they say "free cash flow."

4:10

I could go on here. I would like to point out also that when the competitiveness study was done on the oil and gas sector, there were a number of meetings held back in October. Certainly, the President of the Treasury Board wasn't there. But one of the documents that I got off the Internet from October 1, 2009 – and it was a huge breakfast meeting that occurred in the Viking room of the Petroleum Club in Calgary. There were over 30 senior representatives from the oil and gas industry there.

It was pointed out that "there was concern that there may be proposed royalty alternatives in the report, and it was clarified that this is not the case." So I'm led to believe that in October there was concern that there would be proposed royalty alternatives in the report, and it was clarified that it was not the case. That would lead me to believe that people were satisfied with the royalty rates. Now, I could stand corrected on that, and I would appreciate members' views or opinions on this.

Now, also, at a breakfast meeting on September 29 – and this is the financial sector talking about the competitiveness study. This was in the Presidents room at the Petroleum Club. I'm sure the President of the Treasury Board has been there, and that's part of his job. I've got no problem with that. The views on Alberta's competitiveness in the future: this is one of them:

The royalty structure is viewed as affecting Alberta's competitiveness, but it is not considered the most important factor (commodity prices and capital costs have a much greater effect). There is a need to determine which factors are in control of the GoA and which are not.

So it seems to me that there was a consensus that it's commodity prices and capital costs that are causing us some difficulty at this time, not the royalty rates. Now, that was pointed out to us by the hon. Member for Calgary-Currie, and I appreciate that.

Before I conclude – and hopefully I can get a chance to get some response from the President of the Treasury Board to my questions on the competitiveness of the education portion of the property tax across this province and who pays what for what reason – I would like to ask hon. members to take heed of this operation that's being planned in Montana to ship these large steel-fabricated modules from South Korea across the Pacific, up the Columbia and Snake rivers to Lewiston, Idaho, to be put on trucks and slowly moved over to Montana, up through Montana to Sweetgrass, and then on to the Kearl oil sands project.

I don't think that is in the long-term interests of this province. I think it's very difficult for us to compete. Hon. members say that we're out of the business of being in business, and then we bring up: well, the horse-racing business is special; we're going to look after them. I think what we have to do in this province – and this government has to do it – is what's in the best interest of the citizens.

Having all these modules constructed offshore at a time of high construction unemployment in this province is bad public policy. We are the ones that are providing the tax concessions and the royalty concessions to these energy companies. As much of the work as possible should be done and completed in this province. Also, Mr. Chairman, I would urge all hon. members of this Assembly to watch the progress of this project. We need to ensure that this is not a trend. Many of the steel fabricators – I phoned one here yesterday afternoon, and they said that they're slow. That's how they described it: their work schedule is slow. So they could use some of this work.

Mr. Chairman, before debate is adjourned, if the President of the Treasury Board has some answers for me, I would really appreciate it. Thank you.

Mr. Snelgrove: The hon. member has mentioned the number \$336 million for the public school board support from the city of Edmonton. In context, Mr. Chairman, we collect just about \$1.6 billion in the total year. In '10-11 that was \$56 million more than before. Well, I'm talking overall. So the simple fact is that the assessment increased to do that.

We are projecting 2 per cent growth in that assessment over the next two years, but we're reducing the mill rate 13.5 per cent, so there is no inflationary creep into the school board numbers. There was a discussion over the years. We said that we were going to freeze the education portion, not at \$1.2 billion, at the rate it was. So growth, new homes offer new sources.

Of that \$1.6 billion that we collect in school tax, \$947 million is from residential or farm and \$645 million is from the nonresidential, the factories and businesses. Virtually, you'd have to look at it from the point of view that you're providing the Edmonton public school board probably a fifth of the funding. It's at one-tenth of what we spend on the operational part of schools, not including the capital, just on running the school system in Alberta. The only way that Edmonton public schools isn't getting very good value is if they had less than 10 per cent of the students in Alberta, which you and I know isn't true.

Ms Blakeman: Adjourn debate?

Mr. Snelgrove: Oh, I'll be happy to do that. You bet. Thank you.

I'd be happy to take the hon. member out one day near whatever particular day he celebrates most vigorously and go over some of the tax issues that we may have to settle.

With that, Mr. Chairman, I would move that we adjourn debate.

[Motion to adjourn debate carried]

The Chair: Shall the progress on the bill be reported when the committee rises? Are you agreed?

Hon. Members: Agreed.

The Chair: Opposed? Carried.

Bill 6

Emergency Management Amendment Act, 2010

The Chair: The hon. Member for Calgary-Currie.

Mr. Taylor: Thank you very much. Here we are: committee debate on Bill 6, the Emergency Management Amendment Act, 2010. I said in debate on second reading that this is a good bill. I just had a few questions that I wanted to put on the record at committee, and depending on the answers to those questions, I suspect – I don't think these are hugely difficult questions; I think I'll be satisfied by the answers – that I would certainly be happy to support this bill.

I do think in principle that it's going in exactly the right direction, but I do have a few questions, if I could put them on the record. I would draw everybody's attention to section 11.3(1), delegation by local authority. This section enables a local authority to confer powers to a regional service commission, a joint committee, or to another local authority as in the case of a summer village.

A few questions around this. What exactly will be the relationship between regional service commissions, emergency management agencies, advisory committees, local authorities, and the provincial government? Whose ultimate responsibility will disaster response be in Alberta if there is a failure? You know, we are dealing with human beings here, so failure is a possibility. If there's a failure to respond adequately to an emergency, who will be held responsible, and what will the penalties be for inadequate response? I'm not expecting that to happen, obviously, Mr. Chair, but we've got to cover all the bases here.

4:20

Given that this legislation offers better protection for search and rescue workers from liability actions, as it well should, what assurances will this legislation provide to Albertans, however, that proper action will be taken to mitigate damage from emergencies? We have seen problems in disaster response when there are too many organizations involved without appropriate leadership, thankfully not in this province, to the best of my awareness, but the most, I guess, egregious and tragic example that I can think of right now on the North American continent is Hurricane Katrina.

Is this organizational structure the best for Alberta? With so many different groups potentially involved in emergency preparations and response, how will co-ordination be guaranteed? I recognize that at some level this holds out the promise there could be fewer organizations involved, but there still are a number, and there's co-ordination needed. Will additional funding be needed for the Alberta Emergency Management Agency to try to co-ordinate so many different levels of organization for emergency response?

I wanted to talk as well about liability protection for emergency service providers. This is the section that protects employees of the minister, local authority, and search and rescue organizations from actions in negligence. The condition, of course, is that so long as these organizations and people of these organizations are acting in good faith, then they cannot be found negligent. This protection is already in place for municipal employees. It was extended to include firefighters in the fall session of 2009. Protecting search and rescue organizations and search and rescue workers from lawsuits is clearly important. I don't dispute that at all.

However, with greater protection against negligence lawsuits there is a greater responsibility to be adequately equipped, trained, and financially supported. While not meaning to question the level of training and equipment and support that exists today – we always want to make a good thing better – what will this government do to ensure that these organizations are adequately equipped and their employees trained? Will this government fund these organizations better so that they can be adequately equipped and trained or more adequately equipped and trained? For example, why is the Alberta Emergency Management Agency budgeted to receive almost 1 and a half million dollars less in this fiscal year upcoming than was budgeted for the fiscal year just ending?

There were some rumours kicking around that the province was considering covering third-party liability insurance that's needed for search and rescue operations, so why did the government choose not to fund third-party liability insurance? Possibly the answer to that question is: hon. member, you shouldn't believe rumours, but I'll put it on the record anyway. What are people supposed to do if they are hurt during a rescue due to negligence? Is there any recourse to compensation, or does the good faith provision completely negate that? If it does, then what was the rationale behind that?

Those are the questions that I have, Mr. Chair. I look forward to some answers, and we shall move on from there. I know that may seem like quite a few questions, but in fact I think this is a very good bill in principle, and otherwise I have no problems with it.

Thank you.

The Chair: The hon. Member for Airdrie-Chestermere.

Mr. Anderson: Thank you very much, Mr. Speaker. It's my pleasure to rise in this House on behalf of the Wildrose Alliance caucus to speak in support of Bill 6, the Emergency Management Amendment Act. One of the things I do believe this government, this House, but especially this PC government has done a very good job on for a very long period of time under the Attorney General, the Solicitor General as well as the Solicitor General's predecessor and going back is protecting the safety of Albertans. They're very much on top of this file and are doing a very good job. This is the next step in that.

Passage of this bill will extend much-needed protection to our valiant search and rescue workers. The noble work they do will be recognized by this bill, and it will also allow for the sharing of resources among our smaller Alberta communities.

The natural world is a wonder to be explored, but it is sometimes, of course, dangerous as well, as dangerous as it is beautiful. Alberta is home to Canada's worst tornadoes. In 1987 I remember very well living on an acreage just outside of Sherwood Park and being very frightened. I was just 10 years old then, and I still remember those big, massive hailstones pounding into the side of our home and the windows. Of course, I was lucky, as were, obviously, many of the people in this room who I know have similar scary stories, but 27 Albertans did die in that horrific situation, and many more hundreds were injured.

In the midst of that devastation, though, Mr. Chair, emerged heroic search and rescue efforts from our search and rescue workers. These brave people act in good faith for the common good and safety of all Albertans. The harm caused by these kinds of tragedies and disasters is minimized by our search and rescue workers. These courageous people are often volunteers, devoting their personal time, equipment, and, tragically, sometimes their lives for their fellow citizens. Who could forget the incredible heroics of the search and rescue workers at the World Trade Center site, for example, and the incredible work they did. Many of them right now are actually

suffering because of those efforts with different health issues, cancer, and lung issues, et cetera. These are very dangerous positions, just as dangerous in many regards as our firefighters and police officers have to face.

But sadly, Mr. Chair, some people are ungrateful for these efforts. Sometimes search and rescue workers, putting their lives on the line for others, are being pursued in court for negligence. Very, very ugly that people would do that, and it doesn't make me feel very good to be a lawyer when I read about some of these things. I see the hon. Minister of Housing and Urban Affairs is not here anymore. I'm not implying for a second that he was one of those lawyers but that he is one. Anyway, we must, of course, legally protect . . .

The Chair: Hon. member, avoid mentioning . . .

Mr. Anderson: Oh, he is here. Sorry.

The Chair: All right.

Mr. Anderson: It took me by surprise because I was looking, and I thought I was going to see him.

Anyway, obviously, we must legally protect those that save us from danger. Extending the good-faith liability protection already enjoyed by firefighters is one way to do this. Without such liability protection the cost of search and rescue will continue to increase every year, and so will the premiums search and rescue organizations are forced to pay. These premiums are now the biggest barrier for these volunteers. In fact, some of these societies have now disbanded because the financial strain has become too great.

This bill, of course, addresses the gap in this existing legislation, which is why our caucus supports it. We must provide the security to those that give hope and safety to those of us who are in the most dire of straits. That is why I and the rest of the Wildrose Alliance caucus support this legislation and would like it to be noted in the record.

Thank you very much, Mr. Chair.

The Chair: The hon. Member for Edmonton-Highlands-Norwood.

Mr. Mason: Thank you very much, Mr. Chairman. I'd like to speak as well to Bill 6, the Emergency Management Amendment Act, 2010. This bill would ensure liability protection for search and rescue workers and organizations.

Mr. Chairman, it seems to me that we depend in our society here in this province very much on each other. One of the things that strikes me and gives me hope about the future of Alberta is its history of mutual assistance and co-operation between individuals. Sometimes we forget that Alberta has a very strong tradition of co-operation and assistance. It's not all simply people looking out for themselves and not for their neighbours. It's, in fact, quite the opposite. The fact that Albertans volunteer in great numbers and volunteer even to the point of putting themselves in harm's way in order to protect their friends and their neighbours is, I think, something that's a hallmark of our province.

4:30

I regret very much that sometimes people who do that, acting in good faith, are then seen as a legal target for someone who has suffered an injury or a loss as a result of the tragedy or the difficulty that they got into in the first place, whether it would be, you know, a fire, an accident, or any number of other things. It's not, in my view, fair that people who in a voluntary capacity or in a professional capacity came to that person's assistance should be seen as a financial or legal target of the person who suffered the injury.

I think this change is beneficial. It will eliminate the chilling effect that these lawsuits have had and may have in the future on individuals who want to make a contribution, who want to provide assistance to their neighbours when they are in trouble. I think that this bill actively promotes the spirit of co-operation and mutual aid that has been such an important part of the culture of our province over decades as opposed to the view that we saw in the bill we were just debating, Bill 1, which seems to imply that competition is the only driving force in Alberta society. That may be the view of some members and parties in this House, but in fact the history of Alberta is quite different. The rise of co-operative organizations was a very, very significant part of Alberta's history, and I think that is well reflected in the search and rescue organizations. They're certainly a very important part of that.

I think the bill actually strengthens the parts of Alberta that I appreciate the most and will ensure, I think, that people are more likely to get the kind of assistance they need when they're in times of trouble. I just want to indicate then, Mr. Chairman, that we are supportive of this bill. We think it's a good bill, and I hope that all members of the Assembly will support it as well.

Thank you.

The Chair: The hon. Member for Calgary-Montrose.

Mr. Bhullar: Thank you, Mr. Chairman. It's a pleasure to make a few comments in response to Bill 6, Emergency Management Amendment Act, 2010, in committee here today. First of all, I'd like to thank all the members who participated in second reading for their supportive comments. I'd like to thank the members who just participated in committee as well for their supportive comments.

The importance of Bill 6 to our emergency management system cannot be overstated. The importance of getting this type of system right was tragically illustrated last week, when two Albertans lost their lives and many more were injured in an avalanche near Revelstoke, B.C. Survivors told emotional stories about being swept down the mountain and of the chaos and panic that soon followed. More lives may have been lost if it were not for the emergency first responders that quickly converged on the scene. RCMP, aerial, avalanche, ground search and rescue, dog recovery teams, emergency medical services: they all worked tirelessly, Mr. Chair, together to ensure that survivors were rescued and that the injured were treated.

The incident near Revelstoke clearly shows how first responders provide critical and timely emergency services. It's because we know the importance of the services they provide that we are introducing changes in Bill 6 to strengthen the emergency management system and support our emergency partners across the province. Bill 6 extends the good-faith liability protection currently provided to municipal firefighters to search and rescue workers and their organizations while they're providing emergency rescue services under the act, Mr. Chair.

Alberta search and rescue workers contribute daily to the safety and security of our communities. I know the hon. member for I believe it was Calgary-Currie brought this issue up, and we the Alberta government provide great resources to training search and rescue volunteers, Mr. Chair. Every single year I believe we provide grants for training of search and rescue volunteers.

Another amendment will focus on the language of the act to change the current negligence standard for providing emergency services to one of good faith. This matches the language found in the Municipal Government Act and other Alberta legislation. This will provide an additional legal protection to the minister, local authorities, and their agents and help limit their exposure to lawsuits

because claimants will have to prove bad faith. Again, as the Member for Calgary-Currie talked about, Mr. Chair, this is a deterrent. This will not completely prevent lawsuits. This is merely a deterrent. If somebody has a truly valid lawsuit, they will be able to pursue their legal claim.

Finally, Mr. Chair, changes to the act will focus on enabling regional emergency service delivery and will allow communities to work together where – and this is the important piece – it is effective to do so. Administrative, financial, and training burdens placed on municipalities could be reduced by centralizing service through regional committees or commissions.

Now, again, it's important to mention that that particular piece has come from the communities. There are currently two pilot projects, one in Beaver county and the other in Grande Prairie, to develop a model of regional service delivery. Municipalities in both regions have been working closely with the agency and with each other to develop an effective system. These projects have been of significant interest to other municipalities in the province, who could then consider similar arrangements. Mr. Chair, it's very important to mention that these ideas came from the community, from people that are working in the area.

During second reading a few members had some questions and asked whether people who suffer from damages caused by a search and rescue operation will no longer be able to seek damages. Mr. Chair, I want to make this point again: search and rescue members will be protected if they are acting in good faith in performance of their duties. The onus now is on the complainant to show that the searcher was acting in bad faith to collect damages. They still have their protection, and the individuals that are being rescued still have a degree of protection as well, but they have to prove that the searcher was acting in bad faith. It's important to note that the amendment, as I said, doesn't remove the right to sue. It merely adds a little more protection for people who provide emergency services out of the goodness of their heart and to the best of their ability.

Another member, I believe Edmonton-Strathcona, had a similar question in relation to other agencies and businesses that may also have liability protection, such as guides and outfitters, and whether a person suffering an injury will have any recourse to collect compensation. Any person or organization who is acting under the authority and direction of the minister is protected when they are performing those duties. So there are two parts there. One is that they have to be acting under the authority and, the second, under the direction of the minister to be protected.

4:40

For example, a guide who is asked or directed to guide a search and rescue team into the wilderness would be protected. The broadcasters who air public warning messages would be protected. A firm that is asked to provide equipment such as a bulldozer is protected. The key here is that the government has asked for and knows what services are being provided and what the risks are.

Mr. Chair, these are absolutely important amendments. Further, the Member for Calgary-Currie focused somewhat on the good-faith piece, which I've talked about, and the training piece, which I've also provided some light on, the fact that we do provide resources for training and that every single person, I'm told, that goes out on one of these operations has some training.

On the part of the regional emergency service delivery, folks on the ground are saying that instead of having somebody that has emergency management as a part of their title but only does it at the side of their desk, this will give people – municipalities, summer villages, et cetera – the ability to come together and say: why don't

we have one person that looks after emergency management, on a full-time basis perhaps, for all of the municipalities? But, again, it's up to them to come up with the ideas and work with us to see if there's a fit.

With that, Mr. Chair, again I'd like to thank very much all members that have spoken in favour of this great bill and for their recognition of the wonderful work that is done by our search and rescue volunteers. Thank you very much.

The Chair: Seeing no other members who wish to speak on this bill, the chair shall now call the question on Bill 6, the Emergency Management Amendment Act, 2010.

[The clauses of Bill 6 agreed to]

[Title and preamble agreed to]

The Chair: Shall the bill be reported? Are you agreed?

Hon. Members: Agreed.

The Chair: Opposed? Carried.

Bill 4 Dangerous Goods Transportation and Handling Amendment Act, 2010

The Chair: The hon. Member for Wetaskiwin-Camrose.

Mr. Olson: Thank you, Mr. Chairman. It's my pleasure today to speak in Committee of the Whole on Bill 4, Dangerous Goods Transportation and Handling Amendment Act, 2010. I appreciate the support that has been received already for this bill in second reading. Maybe I'll just repeat a little bit about what this bill is about. It's pretty straightforward and simple.

In June of last year the federal government changed some of their legislation which relates to the transportation of dangerous goods. Our government feels as though it's very important to ensure that our legislation in Alberta is harmonized with the federal legislation for a couple of reasons. One reason is to achieve continuity and some standardization across the country. So whether goods are being transported within a province or across provincial borders, those people who have to transport them and comply with regulation have a standard set of rules to follow. Secondly and very importantly, we want to make sure that Alberta preserves its jurisdiction over the handling of dangerous goods. We see it as being very important for our people to be able to interpret and enforce the rules that are in place.

The changes are relatively minor and administrative. There were some comments that were made, some concerns that were expressed in second reading, and perhaps I could just address some of them. One of the things that I heard was that there was some concern and maybe even some suspicion that the reason for some of these changes was to cut costs, to save on staffing. There was also some question about enforcement. How are the rules going to be enforced? Again I just want to say that this is really a refreshment of the existing rules. We already have staff in place who are enforcing these rules. So that's not really an issue, the issue of needing more staffing.

As a matter of fact, it's interesting to note that Alberta is unique in that we have our own inspectors who are interpreting and enforcing these rules. Across the country Transport Canada has 35 inspectors, and those dangerous goods inspectors are responsible for

the inspections and enforcement in all of Canada, all the provinces and territories except Alberta. In Alberta we have seven inspectors and a chief inspector, so a total of eight inspectors, who are dedicated to ensuring the safety of Albertans. So staffing to enforce these regulations is really not a concern. It's already in place. I would submit that we are, really, better positioned than most in terms of resources.

Another issue that was raised in second reading debate was relating to time limitations. There was some concern about the time limitations that are going to be in the new set of regulations. Presently section 23 says that no action can be taken beyond two years after an offence is alleged to have been committed. The change does not exactly mirror the federal legislation, but I would again suggest that there are good reasons for that.

It differs a little bit from the rules that are being used by Transport Canada. They say that the period is five years from the date of the offence, but they seem to interpret and consider the date of the offence to be the date when it is discovered. For the sake of clarity our legislation, this bill says that the limitation will be the later of two years from the time an offence is alleged to have been committed or two years from the day the evidence of the alleged offence first came to the attention of the director. That is a clarification. The other thing that's important to note is that the two years is consistent with other provincial legislation such as the Environmental Protection and Enhancement Act.

There was some comment made regarding appeals from administrative penalties. In the bill the Alberta Transportation Safety Board will be handling those appeals. There was some suggestion made that one might not be able to get a fair hearing if they were in front of the Alberta Transportation Safety Board. I just want to say that this board already handles appeals that relate to the Traffic Safety Act and the Railway (Alberta) Act. They are an independent board. Their members have to follow a strict code of conduct. Any suggestion that one would not be fairly dealt with by such a body is really unfounded and even unfair.

On the question of the administrative penalty, that is also something that is new. Some of the comment that was made in debate on second reading was that the \$10,000 maximum is too high. Some suggested it was too low. A couple of things to point out about that. The intent of this administrative penalty is not that it would be used in all cases. It's really meant to be for the day-to-day kinds of noncompliances that often happen. It would be kind of too bad to have people spending a lot of court time and using up the court resources for what would be considered, perhaps, less major incidents, but it's important to note that there are other provisions still in the act – for example, in section 30 – where because of major noncompliances the courts can handle the prosecution.

An example was given of the Wabamun Lake incident by the hon. Member for Edmonton-Riverview. A serious incident like that would likely be a situation where it would probably not be appropriate for the administrative penalties but for the more serious penalties, which can still be handled in the courts.

4:50

There was a question about whether or not this legislation gives the authorities the power to stop illegal or unsafe operations. I would refer the hon. member to section 12 and section 18, which do give that kind of power. So there are still plenty of teeth, I would suggest, in the existing legislation. It's not all in the bill. The bill is just making some fairly minor changes, but the existing legislation has that kind of power to make somebody stop an activity that is causing damage or is seen to be a risk.

Again, these rules already exist under federal legislation. We are not increasing regulatory burden.

I should also mention that Alberta Transportation partnered with Transport Canada in consultations throughout Alberta and, in fact, across Canada when these changes were being considered. Industry in Alberta is aware of these changes that are being proposed, and they are in support.

With that, I would just like to thank all members for taking part in the debate. I urge all members to support this bill.

Thank you.

The Chair: The hon. Member for Edmonton-Riverview.

Dr. Taft: Yes. Thanks, Mr. Chairman. I was listening to the comments from the Member for Wetaskiwin-Camrose. I appreciated that he took the time and effort to respond to some of the issues that I and others raised in second reading. I rise today – and I'm not sure if the Member for Wetaskiwin-Camrose is aware of this or not – to move an amendment on behalf of the Member for Calgary-McCall. That amendment is at the desk with the Clerk, and I'll just wait for it to be distributed.

The Chair: We'll wait for the pages to deliver the amendment, and then we'll continue. This amendment is now known as amendment A1.

Hon. member, continue with amendment A1.

Dr. Taft: Thanks very much, Mr. Chairman. I move that Bill 4, Dangerous Goods Transportation and Handling Amendment Act, 2010, be amended as follows: (a) sections 14 and 15 are struck out, and (b) section 16(b) is amended by striking out the proposed clause (u.3). There are, of course, reasons for this amendment, and I want to review those for people to consider as they weigh whether to vote in favour or not of this amendment. What we want to do with this amendment is strike the section that deals with the time limit for prosecution, which is section 14, and the section that deals with administrative fees, which is section 15. Then there's a bit of a housekeeping change that would then need to be made to section 16.

Now, the concern with section 14 about the time limit and the reason that this amendment proposes striking that out is that the time limit will stay at two years but that it will be two years after either the day of the last offence or the day on which evidence of the alleged offence came to the attention of the director; i.e., the director of the dangerous goods and rail safety branch of Alberta Transportation, whichever is later.

We've come upon, as we've done our due diligence on this legislation, some concerns and controversy around this. For example, I'm told that if it were five years after an alleged offence had occurred but that the offence just then came to the attention of the director, then someone can be still prosecuted for the offence. I guess the question really arises, as it's been put to us: do we as an Assembly really want companies or drivers or people to be liable indefinitely? If an offence occurred 10 years ago and it only came to the attention of the director last week, then there would be a liability risk there, you know, and there is a point at which that just perhaps isn't reasonable or isn't fair. It also opens up a bit of a grey area about problems with proving exactly when the director was alerted to the offence. So there are issues here, and it just seems prudent to us to amend the legislation so that those issues don't arise.

One of the background or underlying concerns with this is that this particular branch of Alberta Transportation we consistently hear is inadequately staffed. If they don't have sufficient inspectors, if they're not out there doing their jobs enough, then often they're not going to find offences in a timely manner. If they had sufficient staff to actually be actively policing in a way that would catch

offences, then they don't need the legislation that basically lifts any time constraints on this. We're hearing over and over that Alberta Transportation isn't staffed enough and that this legislation, Bill 4, is trying to sort of work around that by opening spaces or increasing time frames so that a small staff has more opportunity to do a job that they should really be doing in a timely fashion if it was sufficiently staffed.

The second part of this proposed amendment on behalf of the Member for Calgary-McCall is to strike section 15 of Bill 4. Now, section 15 is something that we ought to think about quite carefully. I'm sure the Member for Wetaskiwin-Camrose, who is, after all, a thoughtful man, has probably considered section 15. When I look at section 15, the very first paragraph, page 8 of Bill 4, the following is added after section 30:

Administrative penalties

30.1(1) Where the Director is of the opinion that a person has contravened this Act, the Director may, subject to the regulations, order that person to pay to the Government an administrative penalty in the amount, not exceeding \$10,000, set out in the order.

I will stop quoting there because section 15 goes on at some length, and all I need to do is read that one paragraph to raise the concern. There are actually a few concerns here.

This sets up a kind of quasi-judicial process and makes the director, in this case a civil servant, a kind of judge. It says in this legislation – and I want to repeat this for all MLAs to hear – “where the Director is of the opinion that a person has contravened this Act.” Let's think about that phrase for a minute, Mr. Chairman. We're basically creating a kind of judicial power for a public servant. We're not saying anything in here about what evidence is required, what appeals are required, what else is involved here. We're just saying that if it's in the opinion of the director that somebody has broken the law, then bingo, that person can be fined. That's, I think, a worry, something that we need to be very careful of.

5:00

If we didn't have this section 15 – in other words, if we voted to accept the amendment that I've proposed on behalf of the Member for Calgary-McCall – it wouldn't mean that we've gutted the legislation. Under current legislation there are substantial penalties, and there are provisions in there for how to handle offences and fines and so on. So I'm just raising a red flag that we need to be very careful as a Legislative Assembly of creating these kinds of powers and this sort of authority outside of the court system. I think that's the spirit in which this amendment is proposed.

I am also concerned that through section 15 as it's proposed, we are creating administrative penalties up to \$10,000. What, Mr. Chairman, is an administrative penalty? You know, we're telling this director that he can impose an administrative penalty of up to \$10,000. What's the difference between an administrative penalty and a fine? If somebody wants to appeal this penalty, what do they do? Does this mean that maybe somebody can actually trade off and say, “Well, you know what? I'll pay the \$10,000 administrative penalty and then I won't have to go to court” when the risk of going to court might be \$50,000? Maybe they ought to pay \$50,000. In other words, is there a sort of get-out-of-jail-at-low-cost opportunity in this?

There are just a whole bunch of questions around section 15 that we're hearing concerns about, and as we've thought about them, we thought we should bring them to the floor of this Assembly so that all MLAs can give this serious thought. As far as our research shows, there's nothing in the federal legislation that would necessitate administrative fees and penalties and that sort of thing. We feel

that the standard of proof of a contravention of the act should be greater than merely the opinion of the director and that, frankly, a proper judicial process is perhaps wiser in this case. There simply is room for misuse and abuse in both directions here, we feel. Things could be too lenient; things could be too tough. So there is a real concern with this. That's why this amendment proposes to delete section 15.

As a consequence of those changes, we would then have to delete section 16(b)(u.3), which simply says, “respecting administrative penalties.” That would have to be pulled out because if we abolish or strike out section 15, then there would be no administrative penalties. At least, that's my understanding of it, Mr. Chairman.

I think that with those comments I've sketched out the reasoning that my colleague from Calgary-McCall wanted this amendment moved. I know it's brought forward by that member in good faith after consulting with various stakeholders. I look forward to any debate on the issue, and I'll do my best to either respond to or to take note of the concerns that might come forward.

Thank you, Mr. Chairman.

The Chair: On amendment A1. Any other debate? The hon. Member for Wetaskiwin-Camrose.

Mr. Olson: Thank you, Mr. Chairman. I want to thank the hon. Member for Edmonton-Riverview and also the hon. Member for Calgary-McCall for the thought that they've put into this and for their input and comments although, regrettably, I can't agree with the proposed amendment.

Basically the amendment is addressing two things, the issue of the time limitation and the issue of the administrative penalties. On the issue of the time limitation any time you have a limit by which something has to happen, you know, there can be differences of opinion as to when the clock starts running. Even if we were to accept the amendment and go back to the current wording, which says, “2 years after . . . the offence is alleged to have been committed,” we would still have the issue of: well, when did that happen?

Keeping in mind the nature of what we're talking about here – environmental problems, spills, and so on – I think our government wants to make a strong statement that we will be aggressive in enforcing this legislation. We have a high expectation of people who are handling dangerous goods. I think we want to err on the side of being able to protect the environment. It's quite plausible that there could be situations that would remain hidden and undetected for a length of time, so to have a fairly tight, narrow time frame would not be in the best of interests of protecting the environment.

In the federal legislation my understanding is that the interpretation given by Transport Canada in enforcing their legislation is the same as what we are now going to say in black and white in the bill: when it “first came to the attention of the Director.” I cannot accept that this is an issue of staffing at all, keeping in mind, again, that our resources for enforcement of these types of things are stronger, it would appear, than anywhere in Canada when you compare 35 inspectors for all of Canada, excepting Alberta, and eight for Alberta.

It's a fair comment to say that evidence may disappear or that it may not be available after a longer period of time, but there is discretion in terms of prosecuting. Like with any offence, if you don't have any evidence to go on, you're probably going to be on thin ice in terms of prosecuting. Those would be my comments on section 14.

Section 15, the administrative penalties. Once again, these are intended to be for less serious offences. Some attention was given

to the first line of that section, about the opinion of the director. Well, I would submit that for any prosecution somebody has to have an opinion that an offence has been committed, whether it's a police officer having reasonable and probable grounds or a health inspector. Somebody has got to have the opinion and then carry on with the prosecution from there.

Also, there is an appeal process. If the director has been too aggressive, the person charged with noncompliance does have the right to go the Transportation Safety Board. My understanding is that there has been good consultation with the industry. It is my understanding that this is something that the industry supported, and I can see why they would. If the only option is to be charged and have to go to court, have to spend a lot of money on legal advice and lawyer representation, we can't have that. You know, it seems like a good option, for things that are more what would be described as minor offences, for there to be another venue to have those issues heard and, therefore, be more user friendly for the industry, I would suggest.

Those are my submissions, Mr. Chairman. Thank you for the opportunity.

5:10

The Chair: The hon. Solicitor General on amendment A1.

Mr. Oberle: Yes. Thank you, Mr. Chairman. The Member for Edmonton-Riverview asked a question relating to the difference between an administrative penalty and a fine, which I think is somewhat relevant to how I feel about the current amendment. I'm asking, as the member is a lawyer, if he could clarify that. My understanding would be that an administrative penalty is one levied by an administrator who has determined that you're in violation of an act whereas the fine would be the result of a court case. Because it's an administrative penalty, it does not mean that there's no appeal. There always is an appeal. It's just that an administrator of a program has determined that you're in violation versus a laid charge in a subsequent court action. Am I right there? Is that the difference?

The Chair: The hon. Member for Wetaskiwin-Camrose.

Mr. Olson: Thank you. Certainly, there is an appeal from this administrative penalty. Absolutely no question about it. Some people might want to call it a fine. I don't know that really in substance, you know, it makes a difference. The fact is that the bill says that an administrative penalty can be levied and that you have a right of appeal to the Alberta Transportation Safety Board.

The Chair: On amendment A1?

Seeing no other members wishing to speak, the chair shall now call the question.

[Motion on amendment A1 lost]

The Chair: Now back to the bill. Seeing no other hon. members wishing to speak on the bill, the chair shall now call the question.

[The clauses of Bill 4 agreed to]

[Title and preamble agreed to]

The Chair: Shall the bill be reported? Are you agreed?

Hon. Members: Agreed.

The Chair: Opposed? Carried.

Bill 8

Alberta Corporate Tax Amendment Act, 2010

The Chair: The hon. Member for Edmonton-Gold Bar.

Mr. MacDonald: Yes. Thank you very much, Mr. Chairman. I appreciate the opportunity to get on the record on Bill 8, the Alberta Corporate Tax Amendment Act, 2010. I heard the introductory remarks from the hon. Member for Battle River-Wainwright here, and I appreciate that. I know these are more or less just housekeeping changes to parallel federal amendments. This is an amendment that is done annually in this Assembly. There are some changes, though, that are slightly different this year, changes to functional currencies to allow a corporation to file tax returns in the currency of its accounting records. There are changes to the federal fairness provision which will allow the minister to waive interest or penalties in certain situations and clarification regarding refund interest rates of close to 50 per cent.

Now, we do know that the Alberta Corporate Tax Act is generally amended every year to ensure that Alberta maintains a fair and equitable and competitive tax regime. As I said, there is sort of a routine list of amendments here that are mostly housekeeping in nature, but the minister of finance reviewed the measure and changes that affect a corporation's ability to keep its accounting records in American or Australian dollars or British pounds or euros, whatever. That certainly has been discussed in debate to date, and I think that's an agreeable measure.

A second change that our research indicates in this legislation, of course, is bringing everything in line with the federal fairness provisions, allowing the minister to waive interest and/or penalties in certain situations. For example, when a taxpayer requests a reassessment under the fairness provision, the minister will now be able to waive interest and penalties in appropriate circumstances at the same time the reassessment is issued. When the legislation was amended several years ago, as I understand it, the minister's ability to waive at his or her own volition was unintentionally removed. If that was an error or an omission, this legislation certainly corrects that.

Mr. Chairman, the third and last point I would like to put on the record at this time concerns corporate refund interest rates. In Budget 2010 refund interest rates were reduced by 50 per cent for all prior periods and going forward. While these rates are set by regulation, the regulation-making authority in the act has been amended to ensure that it is clear the new rates will be made applicable to prior periods. I was looking at the fiscal plan. There can be significant changes in amounts refunded. This is, hopefully, an amendment that will strike the right balance.

In conclusion, Mr. Chairman, corporations will now be able to file their returns in the currency they use in their accounting books, ministers will be allowed to waive interest or penalties in certain situations, as we talked about earlier with the federal fairness provisions, and the refund of interest rates and overpayments of corporate taxes.

With that, at committee, Mr. Chairman, I would like to say that I appreciate the hon. Member for Battle River-Wainwright's due diligence and the fact that he was willing to provide this information to our research staff. I'd like to say thank you for that. Hopefully,

this bill will become the law of the province, and we can continue with some of the lowest yet fairest tax rates in the country.

Thank you.

The Chair: The hon. Member for Battle River-Wainwright.

Mr. Griffiths: Thank you, Mr. Chairman. I'm pleased today to rise in Committee of the Whole. The hon. member did an exceptional job of, essentially, summing up the legislation. I guess I just want to reiterate for the record that generally every year the Alberta Corporate Tax Act is opened up to bring forward amendments that are typically just to ensure that our legislation aligns with the federal legislation and to deal with any, generally minor, amendments but consequential to the tax act.

Among the three measures that are of significance, of course, as was mentioned by the hon. member, is section 2 of Bill 8, which amends section 4.01 of the Corporate Tax Act. It says that if a corporation keeps its accounting records in U.S. or Australian dollars, the British pound, or the euro, it's known as a functional currency. Changes to the federal legislation required the province to make changes to our provisions this year. The one policy difference, however, that will remain between Alberta and the federal legislation is that when the functional currency reporting was adopted by Alberta last year, the taxes payable would be converted at an average exchange rate over the entire year while the federal legislation chooses the date when payment is due. So we're maintaining that consistency.

The second measure of significance that's being adopted, Mr. Chairman, is section 9(1) of this bill, which brings Alberta legislation in line with the federal fairness provision. The provision that the minister was able to waive interest and penalties under appropriate circumstances was accidentally removed. This is going to be reintroduced into the legislation.

5:20

The third measure of significance, Mr. Chairman, of course, comes out of Budget 2010. Refund interest rates are being reduced by 50 per cent for all pay periods and going forward. In comparing our interest rates with the commercial bank rates, it was determined that Alberta's refund interest rates on overpayments for corporate income tax were far too high. It was a little bit like the old provision that it was sometimes easier to leave your money with the government, that paid you a higher interest rate than the bank would even pay you. It was more like an investment. So reducing our rates by 50 per cent is a middle ground between the bank rates and what we had utilized before, and this strikes a fair balance for the corporations and the tax dollars that will be paid on those interest payments.

That summarizes the bill. I look forward to any questions that may arise here in Committee of the Whole. I will be happy to answer them, and I encourage all members to continue to support this into third reading.

Thank you, Mr. Chairman.

The Chair: Any other hon. member wish to speak on this bill?

Seeing none, the chair shall now call the question.

[The clauses of Bill 8 agreed to]

[Title and preamble agreed to]

The Chair: Shall the bill be reported? Are you agreed?

Hon. Members: Agreed.

The Chair: Opposed? Carried.

Bill 7

Election Statutes Amendment Act, 2010

The Chair: The hon. Member for Calgary-Fish Creek.

Mrs. Forsyth: Thank you, Mr. Chair, and thank you for the opportunity to speak to Bill 7, the Election Statutes Amendment Act, 2010. One thing that all parties in this Assembly can agree to is the need to modernize how elections are governed. We can also agree that the rules need to be clear, they need to be enforceable, and they need to be nonpartisan. As I begin, I want to point out the parts of Bill 7 that the Wildrose caucus is able to support, and then I can move on to some of our concerns.

First, I believe it is important that the Chief Electoral Officer is the one who appoints returning officers, not the party in power. This change is important.

Second, Bill 7 changes the way enumerators are appointed, and when you also look at the safeguards regarding the electoral list that Bill 7 hopes to put in place, these two combined changes are a very positive step. The quality of our elections will succeed or fail based upon the quality of our voters lists, and we need to make sure that we have the very best people to help us with the development of these lists.

Third, Bill 7 broadens the investigative powers of the Chief Electoral Officer. This, too, is an important step forward although these powers and enforcement capabilities should go further. It is also important for Elections Alberta to open up the advance voting process further. People make so many decisions based on convenience and ease of access to goods or services. Let's make it as convenient as possible.

There are a number of other changes that Bill 7 proposes, Mr. Chair, and I will not go into all of them. I do, however, think it is important to focus the government's attention on areas that will cause Albertans a great deal of concern. In a lot of areas the government did the bare minimum, and the bare minimum is not what Albertans want.

As the Member for Airdrie-Chestermere will touch on, Albertans have been asking for fixed election dates for years. The government believes it should have special rights to call an election when it is politically convenient. As you know, Mr. Chair, municipalities in Alberta have fixed election dates. On the third Monday of October every third year voters go to the polls to elect their local government. This has been extremely effective in Alberta and other jurisdictions because voters know exactly when a municipal election will take place. It is disappointing that this government has not implemented fixed election dates, and it must be part of any changes to our election acts.

It seems strange that this government has not been willing to create a truly independent election office that is fully capable of enforcing the rules. It also seems strange that the new Chief Electoral Officer thinks his role is to simply enforce the rules and run elections but not encourage people to vote.

In terms of accountability, Mr. Chair, it is the position of our caucus that all reports of the Chief Electoral Officer should come to the Assembly. These reports should be presented to you and then given to the elected Assembly. We are responsible for setting the rules that govern elections, and the final accountability for the effectiveness of Alberta's election system ultimately falls on each of us. If the Chief Electoral Officer is not made directly accountable to this Assembly, then this government, or any government for that matter, can decide to remove someone from this important position as they choose.

Mr. Chair, why didn't the government get it right and make sure that the Chief Electoral Officer put new rules in place for scrutineers or to allow for fines and/or penalties to be imposed for breaches of this act?

Finally, Mr. Chair, an issue that the Member for Calgary-Glenmore has more recent experience with, which is the formation of new parties and donations to new parties. While the government may say that people have the freedom to set up new parties and to voice their opposition, the reality is that the current political and party system makes it very difficult for people to do that.

Why does Bill 7 not include a provision that allows people to make a contribution towards the formation of a new political party, and once that party is recognized and formed, why can't a tax receipt be issued? People can make contributions towards charities and not-for-profit organizations in advance of their formation, and once the organization is legally incorporated and recognized, the appropriate receipts can be issued for tax purposes. Why is this government so afraid to give people the ability to form political parties that more closely represent their views?

Why does this government ignore democracy by making it virtually impossible for opposition parties to succeed in this province? If this government is truly conservative, then it shouldn't be afraid of the marketplace or afraid of new ideas. If the rules are reasonable and allow people to get together, then they will rise or fall because voters will not give them money. Without support from voters, they will not have traction. Let voters decide, Mr. Chair, not obscure rules or unreasonable barriers.

As members of the committee looking at the electoral boundaries adjustments have noted, they were given orders to increase the number of MLAs. They were not given the ability to ask whether or not more MLAs were needed, whether fewer were needed, or if the solution was simple, to redistribute the boundaries. More MLAs is not the answer to better representation.

I work hard for the people of Calgary-Fish Creek, Mr. Chair, and not once – not once – have I heard people in my constituency say that they want more MLAs. Never. I would be willing to wager that if we looked at reducing the number of MLAs, then there would be massive public support.

In closing, Mr. Chair, we are all here to represent the people we serve. Bill 7 does bring forward some good ideas to improve our election acts and laws, but the government falls short on the changes needed to overhaul our election system. We have laid out the improvements that we believe are important and will provide more openness, more accountability, and more transparency to our election process.

Mr. Chair, a quote that I like from a candidate at the University of Waterloo is about freedom: freedom is when the people can speak; democracy is when the government listens. We're willing to work with this government to improve Bill 7 to be more representative of what constituents and voters are telling us. We can only hope that the government is willing to listen and work with us. Albertans deserve nothing less.

The Chair: The hon. Deputy Government House Leader.

Mr. Denis: Thank you very much, Mr. Chair. I'm pleased to rise today to join the debate in Committee of the Whole on Bill 7, the Election Statutes Amendment Act, 2010. Matters of election acts have always been of interest to me, particularly in my previous career, where I had the privilege of representing some people in this respect. We've already heard some interesting debate on this bill during second reading and from the previous speaker today, and I look forward to further discussion today as well.

Without a doubt, this is complex and vitally important legislation that we're talking about here, and it deals with a process fundamental to our democracy. It's something I think all of us have in mind when we talk about this, Mr. Chairman. I'm sure my hon. colleagues are ready to discuss, so I'm just going to briefly reiterate some of the main points of Bill 7, as I had discussed with my colleague the hon. Minister of Justice and Attorney General.

The Election Statutes Amendment Act will, among other things, give all eligible inmates the ability to vote at future provincial elections by way of a special balloting process. It will also authorize the Chief Electoral Officer to appoint returning officers and require each returning officer to personally hire the enumerators, eliminating any perception of political involvement in the appointment process. Indeed, Mr. Chairman, I've already written one constituent of mine who expressed some concern about this during the last election.

5:30

It would also eliminate restrictions for those who may use an advance poll. It will increase options available to voters to identify themselves. It will improve third-party advertising legislation. It will give the Chief Electoral Officer the additional power to investigate perceived violations. It will allow for the exploration of new technologies. Last but not least, it will allow for a pilot project to test the early opening of polls. We all know that people do have busy lives these days, and if we want to increase voter turnout, we need to make it more available to the average person.

Mr. Chairman, this legislation of itself makes rather important changes to this type of essential legislation while, at the same time, it deals with the integrity of the vote and the electoral process. I would encourage all members to support Bill 7, the Election Statutes Amendment Act, 2010. I look forward to the remaining debate today and other days if necessary.

Thank you, Mr. Chair.

The Chair: The hon. Member for Airdrie-Chestermere.

Mr. Anderson: Thank you, Mr. Chair. I'm pleased to rise in this House and speak to Bill 7, the Election Statutes Amendment Act. I've organized my comments today into three parts. First, I want to discuss our province's current democratic deficit, and then I want to discuss how Bill 7 attempts to address this deficit. Finally, I'll suggest some additions to Bill 7 with an amendment that would work to improve our democracy and improve this bill, Bill 7, as we move forward.

Mr. Chair, Alberta has a rich and proud history of producing great men and women to champion the democratic causes of Senate reform, government accountability, and women's rights, just to name a few. It's a history that we can all be proud of. Sadly, however, as a province we have failed to show leadership on this issue in recent years. Politics in our province has evolved into a process that is almost completely undemocratic.

For example, there are very few, if any, real free votes in the Legislature. The Premier and a small group of mostly unelected government officials make almost every decision on virtually every issue in government. The peoples' elected MLAs, on the other hand, generally have little, if any, real input into the decisions that impact the lives of those they represent. If an MLA contradicts the party line, he or she is sanctioned and disciplined. We saw this with the Member for Fort McMurray-Wood Buffalo. We saw it also with the Member for Calgary-Fish Creek. Most MLAs, I would say, if not all, on that side of the House know that what I am saying is true.

This democratic deficit is bad enough, but it has been made worse by a lack of transparency and accountability by our current govern-

ment. Government documents are difficult and expensive to publicly access. Cabinet sets its salaries behind closed doors. Billion-dollar government contracts are awarded without tender, as in Bill 50. Approval for infrastructure projects is often politicized. Budget deficits and other important financial information is underreported. And a culture of fear and intimidation keeps potential whistle-blowers from stepping forward.

Mr. Chairman, I left the PC Party for many reasons, but none were larger than this: the current state of our democracy is unacceptable. It is shameful. It is a mockery of the sacrifices that have been shed in its defence, and it must change, either by this government or, if they are unwilling, the Wildrose will happily take up the cause. Predictably, this lack of democracy and transparency has resulted in poor government policies, exceptionally low voter turnout, almost universal cynicism towards elected officials, and a feeling that the average Albertan has no voice or influence on issues that affect them personally.

When only two in five people choose to vote in an election, you know we have a very, very big problem. I am assuming Bill 7 is an attempt to address this issue. Frankly, Mr. Chairman, it doesn't do so very well at all. It tinkers with the system. There are some improvements, no doubt. But it leaves out all of the important things that could really make a difference in returning our province to a strong, democratic jurisdiction. I expected more out of this Minister of Justice, and so did Albertans. What we got was very, very disappointing, in my view, with this bill.

One of the left-out recommendations was that of fixed election dates. Our neighbours to the west, in British Columbia, have a fixed election date law. They have been followed by Ontario and Newfoundland, and now many others are contemplating it as well. Our government? Not a chance. Apparently, this government does not see the need for fixed election dates. Apparently, they think it's fair for a sitting government to be able to plan for an election to the very hour it is held but to allow the opposition parties to be kept in the dark. They don't see a problem with that. How pathetic that they would be so worried about maintaining a tactical advantage over the opposition for their own good rather than levelling the playing field for the sake of a more democratic province.

The Chief Electoral Officer also made a recommendation to prohibit government departmental advertising during elections. Obviously, having the multimillion-dollar Public Affairs Bureau working 24/7 to flood the airwaves with ads and communications that make the governing party look good is another unfair advantage the government has over opposition parties during elections. I guess this advantage is also too difficult for the government to give up.

Then there is the long list of democratic reforms the Wildrose Alliance would suggest be added to this bill to strengthen our democracy. We would institute fixed election dates not only for general elections but also for Senate elections. We would implement direct democracy legislation enshrining voter recall and citizen-initiated referenda. We would restore the role of an elected MLA by mandating that all votes, every single one, in the Legislature and caucus be free and transparently reported to the public: no more fear, no more intimidation and decision-making behind closed doors, just total transparency and accountability. Our democracy is hurting, Mr. Chair. The government can deny it all they want. They can justify their actions until they're blue in the face, but it matters not. They know what we all know: our democracy needs an overhaul.

Alberta is the home of Senator Bert Brown, that courageous man and constituent of mine who plowed "triple-E" into his wheat field to help inspire a movement that is only now being realized. This is the home of Preston Manning, a man decades ahead of his time and one of this nation's greatest ever defenders of the wisdom and

democratic rights of the common man. This is the home of the Famous Five – Emily Murphy, Henrietta Muir Edwards, Louise McKinney, Irene Parlby, and Nellie McClung – who stood up against what was then the conventional democratic wisdom that only men should be able to vote. Their brave stand altered the course of history for the betterment of our province and for our nation. Ours is a legacy to be proud of, Mr. Chair.

It is time this PC government either commit to follow our province's tradition of democratic pioneering or continue on their present downward course towards replacement by a new group of elected representatives who will.

With that, Mr. Chairman, I would propose the following amendment. I believe you have the copies. Would you like me to wait?

The Chair: Yes, hon. member. Wait for the pages to distribute the amendment.

This amendment is now known as A1. Hon. Member for Airdrie-Chestermere, please continue on amendment A1.

Mr. Anderson: I'll read the amendment into the record. I would like to introduce to the House an amendment. I propose that section 89 be amended to change the proposed section 44.1(1)(g) of the Election Statutes Amendment Act by striking out subclause (iv).

What this amendment is intended to do, Mr. Chair – again, right now the government departments are allowed to advertise during an election period, so they can put out into the public airwaves and on television and in the newspaper all of the great things and the great announcements on infrastructure and things like that that obviously always seem to come right before elections. Usually they're reannouncements of things that have already been announced.

5:40

In any event, I will say that this is definitely not the only government in this land, this nation of ours, that does this, but it sure doesn't make it right. It doesn't seem right to me that you can have a government basically spending, frankly, millions of dollars on saying how great the government that was just in power preceding that election writ being dropped is. I just don't think that that is a proper use of taxpayer funds. It gives an unfair advantage to the sitting government. We're really only talking about four weeks here. Surely the government can wait on trying to promote what it's doing for Albertans for four weeks while the parties debate the issues and Albertans are discussing the issues.

We have all these campaign finance laws. They're good laws, and we should respect them. This is almost a little bit of a loophole, so I would hope that we could end that practice as we move forward.

Thanks, Mr. Chair.

The Chair: The hon. Solicitor General.

Mr. Oberle: Thank you, Mr. Chair. The hon. member raised a number of issues in his speech prior to tabling this amendment, as did the Member for Calgary-Fish Creek, a number of problems with the bill. Now we have before us an amendment. It escapes me, I suppose, as to how this amendment fixes some of those issues. I wanted to read into the record some of the issues the member alluded to and my concerns with them.

First of all, the member and also the Member for Calgary-Fish Creek talked about fixed election dates. The Member for Calgary-Fish Creek talked about these being very effective in reference to fixed election dates with municipal elections. I wonder if the hon. member would care to share with us exactly how they're being effective because no evidence or numbers were provided in either

her speech or in the hon. member's speech. Maybe we might want to do that by comparing, say, the voter turnout in the last municipal election to the nearest provincial election. You know, that might be a useful statistic to compare. I don't think that "our neighbours have one" is a very compelling argument for why we should have a fixed election date.

It's amusing that the hon. member mentioned the great, great people that have gone further nationally in politics in our country. I've got to tell him that I don't think I'd agree with the list. He did mention one of them that went off to Ottawa that was going to install fixed election dates. I'm wondering if he could share with the House how that turned out.

The Member for Calgary-Fish Creek talked about: no constituent has ever said that we should have more MLAs in our province.

Mr. MacDonald: Point of order, please.

The Chair: All right.

Point of Order Relevance

Mr. MacDonald: Yes. Thank you. Standing Order 23(h), (i), and (j) would be applicable here, but relevance. We're dealing with the amendment, not the bill.

Mr. Oberle: Well, Mr. Chair, I wish to explain to possibly one of the most irrelevant arguers in the House that the member has tabled an amendment for a number of stated reasons. I'm asking for some clarification on how the amendment addresses those reasons. I think it's highly relevant.

The Chair: I've heard the debate from the hon. Member for Airdrie-Chestermere and then the hon. Solicitor General on the point of order, and the Solicitor General responded to the point, so there is no point of order, hon. Member for Edmonton-Gold Bar.

Debate Continued

Mr. Oberle: Thank you, Mr. Chair. Back to that, I don't doubt for a second that the Member for Calgary-Fish Creek works very hard to represent her constituents, but I'm not at all surprised that they haven't ever asked her for more MLAs or asked her to represent to our government we should have more MLAs. I can tell this hon. member that, in all honesty, my constituents have, and it's not just because of my performance as an MLA; it is because it is very hard to represent one's constituency in certain constituencies. For me to travel from my home in Peace River, never mind getting to my home in Peace River from Edmonton, for a meeting in Rainbow Lake is a 900-kilometre round trip. If I go to Zama, it's about a 750-kilometre round trip; 150 kilometres of that is gravel road. It's hard. My constituents are concerned about representation at Edmonton, and I'm glad we're adding more MLAs.

I want to correct, I think, a misstatement on the part of that member. He talked about cabinet setting salaries behind closed doors. I think he should visit the legislative act and understand the terms of reference of the Members' Services Committee. The cabinet salaries are set by the Members' Services Committee. They're right in the members' services handbook. He may want to look that up.

The last one. You know, plucking some of the democratic tools here, we talked about voter recall. First of all, that has been tried and I think in many instances proven ineffective or unworkable. It was another one of the promises of one of those guys that we sent to

Ottawa that the member mentioned. I just wonder: if we were to implement such a thing in Alberta, would that apply to members who – I don't know – cross the floor, for example? Just wondering.

Thank you, Mr. Chairman.

The Chair: The hon. Member for Airdrie-Chestermere, responding to those points.

Mr. Anderson: Thank you. I thank the Solicitor General for his comments. You know, I don't dispute that he's a good MLA. I know he's a good MLA. He works very hard for his constituents. He's a very good minister. I've always found him to be a competent and articulate member of this House. I don't think that the view of not having more MLAs has anything to do with whether he's doing a good job or not. Some people would say that we need to readjust the boundaries and try to stick as close as we can to one person, one vote, but that's a back-and-forth argument. I see there are good arguments on both sides. I definitely would say that to you.

With regard to voter recall, you know, and citizens' initiatives I think that they're definitely worth a try doing. I don't think that we should look at the California model, where you get 2 per cent of voters on a petition and you can get a citizens' initiative on a ballot. Then you get, like, 20 things on a ballot. I agree that no one wants that type of circus. But I think that if you increase that to 10, 15, or even 20 per cent, if there was really an issue that was just burning Albertans – it was just driving them nuts, and the government wasn't responding to it – they could organize and bring that forward. I think that that's a worthy goal. It would be another way of bringing people into the process.

With regard to my own floor-crossing, I feel that an MLA is accountable to his constituents first and foremost, and I felt that I could represent them and their interests better in opposition. But I'll tell you right now that I have no problem going on the record and saying that if the Premier would like to pick a date, sometime in the fall or whenever, I would be more than happy to step down a month before that election date and hold a by-election any day, any time. He picks, and I will step down the day before the writ is dropped as long as we can come to an agreement. The reason I wouldn't want to step down is because that would leave me – I mean, I know the government, surely, would not hold an election in Airdrie-Chestermere, definitely not right now. They would like to probably draw that out for six months. If they were to hold it right now, I'm very sure what the result would be. I don't think that's very fair.

But if the Premier and the government feel that they would like to take me up on that, by all means just name the date. I'll step down a month before, and we'll have an election. I'd love to do it, just would welcome the challenge.

I would also say that the reason voter recall is important is because, look, we all need to be accountable to our constituents. Every one of us needs to be, between elections as well as every four years. I don't think anybody in this Chamber would be recalled right now because we don't have any criminals among us that I know of. We don't have people that are, you know, doing things that are just ridiculous, et cetera. Well, maybe ridiculous policywise but not in their personal affairs. I would say that I think that people would survive.

Anyway, that's just my response to the hon. minister on those points.

5:50

The Chair: The hon. Member for Edmonton-Highlands-Norwood.

Mr. Mason: Thank you very much, Mr. Chairman. It was my understanding that in committee we take turns speaking and that back-and-forth conversations are not part of the rules.

I want to speak to the amendment on the Election Statutes Amendment Act, 2010. Mr. Chairman, this amendment would have the effect of prohibiting government advertising during an election period. I can think of no reason not to pass this amendment. I believe that it is very clear that the temptation to use the taxpayers' money on the part of governments – and not just this government, I hasten to add, all governments – is just too great. To suddenly increase spending on advertising, on television, and through other media extolling the virtues of the government and what it's doing, how great the province is, how everything is sweetness and light is, I would dare say, the norm in this country, not just in Alberta but federally and probably in every other province, and it is fundamentally unfair.

When you use the resources of government, which is the taxpayers' money, to try to tip the balance in the favour of the governing party, it is an undemocratic thing to do. It weakens the democratic process by making it less fair. So, Mr. Chairman, I think that the hon. Member for Airdrie-Chestermere has put forward an excellent amendment, which I believe we ought to support.

There are a number of other changes to this act that I think could be made to strengthen it and to strengthen democracy. There are steps in here, in this bill, to control third-party advertising. To allow a private or special interest with lots of money to attempt to shift the balance during an election is also undemocratic. The government has seen fit to provide regulations with respect to that, and I would submit, Mr. Chairman, that in principle the two are very similar. Third parties using money to influence the outcome of elections favour those organizations with lots and lots of cash. Normally they would be corporations, but in some cases they could be other types of organizations.

We did see an attempt in the last election by a group of organizations to try and shift the balance in that election to them, and it backfired. It backfired. I'm convinced by that experience that, in fact, it's prudent and democratic to place those restrictions because I think an election period, Mr. Chairman, is between the political parties and their candidates and the voters, and everybody else should stay out. This is a time when we take our message to the voters at the door or through advertising on television or otherwise and try to persuade them that our principles and our policies and our

candidates are the ones that they should vote for. To have some special interest with pocketfuls of cash trying to interfere with that process is wrong.

There is a time when the politicians are accountable to the people that elect them, and that is in an election time, so I think that it's wise to limit third-party advertising. I think that it is wise that we have restrictions on the amount of money that different organizations can donate to political parties. That's become part of our political principles for a number of . . .

The Chair: Hon. member, I hesitate to interrupt, but Standing Order 4(3) requires that I interrupt to rise and report automatically without having to put the question.

[The Deputy Speaker in the chair]

Mr. VanderBurg: Mr. Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports the following bills: Bill 6, Bill 4, Bill 8. The committee reports progress on the following bills: Bill 1, Bill 7.

Mr. Speaker, I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

Thank you, sir.

The Deputy Speaker: Those concurring with the report, please say aye.

Hon. Members: Aye.

The Deputy Speaker: Opposed, please say no. So ordered.

The hon. Deputy Government House Leader.

Mr. Denis: Thank you very much, Mr. Speaker. I would move that the House stand adjourned until 1:30 p.m. tomorrow.

[Motion carried; the Assembly adjourned at 5:56 p.m. to Thursday at 1:30 p.m.]

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